

# Mid Devon District Council

## Cabinet

Thursday, 4 June 2015 at 2.15 pm  
Phoenix House

Next ordinary meeting  
Thursday, 2 July 2015 at 2.15 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr C J Eginton	Leader
Cllr R J Chesterton	Deputy Leader and Planning and Economic Regeneration
Cllr N V Davey	Environment
Cllr P H D Hare-Scott	Finance
Cllr C R Slade	Community Well Being
Cllr Mrs M E Squires	Working Environment and Support Services
Cllr R L Stanley	Housing

## 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. **Minutes of the Previous Meeting** (*Pages 5 - 12*)  
To receive the minutes of the meeting of 2 April 2015 (attached).
4. **Night Time Economy**  
To consider the following recommendations from the Scrutiny Committee who considered the work of the Night Time Economy Working Group at its meeting on 13 April 2015.
  - i. The Waste Service liaise with the Licensing Service to ensure that the litter from late night food premises be kept to a minimum. Should a problem arise with a specific premises a letter be sent to remind them of their duty to keep the area clean.

- ii. The Licensing Officer liaise with the Devon and Cornwall Police with regard to Temporary Extension Notices, to ensure that they are dealt with in a timely fashion and that all of the appropriate people are aware of them.
- iii. The Licensing Officer ensure that measures be put in place to monitor Temporary Extension Notices when offices were closed.

5. **Council Motion 520 (Councillor Mrs J Roach - 11 March 2015)**

To consider the following Motion referred by the Council to the Cabinet:

“That this Council resolves to write to the Secretary of State for DCLG to ask that when setting out national planning policy the following issues are taken in to consideration.

There is evidence that developers are now buying up old properties in villages and seeking permission to redevelop those sites to obtain a maximum return. By demolishing the existing building and replacing it with more than one house, or alternatively a much larger house, they are creating major problems for existing neighbours.

The first concern is building too close to boundary walls or undermining those walls. It appears that any redress in these cases is via the Party Wall Act and has to be dealt with by a civil action. This entails the neighbour taking legal action which can be long drawn out and costly to fund just to protect their property. If they do not have the funds then they cannot take action. Many people are reluctant to take legal action or are unaware that they could take this route.

The second concern is about rights of access.

It is not uncommon in villages for access to have been taken for granted over hundreds of years, with no thought given to ensuring it was protected in law. Development of the land can interfere with historic rights and those who enjoyed access have to resort to civil action at their own expense to maintain their rights. Some of those properties have been passed down through family members without the access rights being formalised”.

6. **Revenue and Capital Outturn 2014/15 (Pages 13 - 52)**

To receive a report of the Head of Finance presenting the revenue and capital outturn figures for the financial year 2014/15.

7. **Annual Treasury Report 2014/15 (Pages 53 - 62)**

Report of the Head of Finance informing Members of the Council's treasury management performance in 2014/15.

8. **Revenues and Benefits Performance (Pages 63 - 66)**

Report of the Head of Finance informing Members on Council Tax, Non Domestic Rates and Housing Benefit Performance for 2014/15

9. **Joint Working with North Devon (Pages 67 - 72)**

***To consider a report of the Head of Business Information Systems advising Members of the need to continue to pursue partnership working, to producing a detailed business case that will allow an informed decision to be made.***

10. **Communication Strategy and Media and Social Media Protocol**  
(Pages 73 - 114)

To receive a report of the Head of Customer Services providing Members with the new Communications Strategy and Media and Social Media Protocol for recommendation to Council.

11. **Start Time of Meetings**

To agree a start time for meetings for the municipal year.

12. **Notification of Key Decisions** (Pages 115 - 124)

To note the rolling plan containing key decisions.

13. **Access to Information Act - Exclusion of the Press and Public**

During discussion of item 14 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 Cabinet 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 financial 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 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).

14. **External Painting and Repairs of Council Homes 2015-2020** (Pages 125 - 128)

Report of the Head of Housing and Property Services placing before Members proposals for undertaking the external painting of the Council's homes for the next five years (2015-2020).

The Chairman of the Scrutiny Committee has agreed that this item may be discussed although 28 days notice has not been adhered to as this would prolong the date when the tender could be awarded and there would be a subsequent loss of summer months for the work to take place.

**Kevin Finan**  
Chief Executive  
Wednesday, 27 May 2015

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 to the Council Chamber on 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

Fax:

E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.