

Mid Devon District Council

Cabinet

Thursday, 9 June 2016 at 2.15 pm
Phoenix House

Next ordinary meeting
Thursday, 7 July 2016 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 7 - 12*)
To receive the minutes of the meeting of 12 May 2016
4. **National Assisted Burials** (*Pages 13 - 30*)
Arising from a report of the Head of Housing and Property Services, the Managing the Environment Policy Development Group had recommended: , that subject to minor amendments to the report regarding contact names and numbers, Cabinet recommend that Council approve the National Assistance Burial Procedure.

5. **Tree Policy** (*Pages 31 - 40*)
Arising from a report of the Head of Housing and Property Services, the Managing the Environment Policy Development Group had recommended: that the revised Tree Policy be adopted.

6. **Tenancy Changes Policy** (*Pages 41 - 56*)
Arising from a report of the Head of Housing and Property Services, the Decent and Affordable Homes Policy Development Group had recommended: that the revised Tenancy Changes Policy be approved.

7. **Cullompton Townscape Heritage Initiative** (*Pages 57 - 66*)
Arising from a report of the Head of Communities and Governance with regard to an application to the Heritage Lottery Fund's Townscape Heritage Initiative, the Economy Policy Development Group has made the following recommendation:
 - (a) MDDC to act as the accountable and lead body for this project;
 - (b) In principal, MDDC to allocate staff and councillor time to the project over 6 years – to include Charing and sitting on the Steering Group, managing and employing/contracting a project officer and input into the project work;
 - (c) MDDC to allocate some funds (in the order of £12.5K initially with the option of further funding from MDDC or finding alternative funding in subsequent years) to the project in order to draw down potentially in the region of £1 million (tbc). The exact figure is dependent on the final structure of the bid, and whether other funding can be drawn down to offset it in future. HLF has indicated that without some cash input from the principle authorities the application will not succeed.
 - (d) MDDC to corporately investigate drawing down other funds to contribute to this project e.g. Empty Homes bonus, S106 related to development of Cullompton, property portfolio.
 - (e) MDDC to consider what it can do to facilitate the development of the gap site on the former Harlequin Valet site in Cullompton which continues to be an eyesore in the Higher Bull Ring and problem for neighbouring properties. The Higher Bull Ring is the heart of Cullompton town centre and this key site could be beneficial to the economy of the town and to the appearance of the Conservation Area.
 - (f) MDDC to integrate the aims of the scheme into all relevant strategic documents relevant to forward planning, empty homes and property in Cullompton
 - (g) MDDC to obtain indications of support from Devon County

Council, Cullompton Town Council, Cullompton Town Team, Culm Valley in Business and the Cullompton Neighbourhood Plan Group.

8. **Planning and Enforcement Improvement - Recommendation from the Scrutiny Committee** (*Pages 67 - 80*)

Arising from a report of the Chief Executive, the Scrutiny Committee has made the following recommendation: that the following be **NOTED**:

- a) The Head of Planning & Regeneration bring forward the Local Enforcement Plan for Cabinet to consider as a matter of priority to set the framework for enforcement activity at MDDC.
- b) The Head of Planning & Regeneration ensures that staff within the enforcement service are invested in through additional training to help provide them with the necessary confidence about sharing information with members (with reference to Data Protection Act constraints).
- c) The Head of Planning & Regeneration take steps to appoint additional resource specifically into the enforcement team to clear any real or perceived backlog, and that consideration be given to the merits of operating this service as a discrete entity to share knowledge, expertise and resource (as opposed to the current area-based model).
- d) The Head of Planning & Regeneration ensures that 'Part II' reports were only ever brought as an exception in order to maintain transparency as far as Data Protection rules allow.
- e) The Chief Executive, in conjunction with the Head of Planning & Regeneration and the Head of Communities & Governance, consider setting a target for the processing and completion of S106 agreements.
- f) The Head of Communities & Governance considers reviewing (in conjunction with the Head of Planning & Regeneration) whether the current legal expertise available in-house was appropriate to process planning matters swiftly, and to take steps to re-provision this as opportunity permits.
- g) The Cabinet Member for Planning & Regeneration considers a report investigating the introduction of S106 Monitoring Fees in order to adequately resource the level of required activity.
- h) The Chief Executive considers the value of instructing Internal Audit to look at this area before the end of 2016/17 in order to explore further opportunities for service improvement and efficiency.

- i) That local performance indicators for the enforcement service were set and were reported quarterly to the Planning Committee.
- j) That Members were provided with a suite of reports on planning enforcement cases on a monthly basis, and were reported to Planning Committee quarterly.
- k) That the Planning Committee considers the level of delegation that exists in relation to enforcement activity.
- l) Officers investigate the possibility of finding a way of updating residents and town/parish councils in relation to complaints regarding enforcement and report back to this Committee within 4 months.

9. **Reviewing the Cost of Efficiencies - Recommendation from the Scrutiny Committee** (*Pages 81 - 88*)

Arising from a report of the Scrutiny Committee Working Group (Reviewing the Cost of Efficiencies), the Scrutiny Committee has recommended that:

- a) Areas of land for sale should be promoted by Members at Parish Council Meetings.
- b) A pricing structure for services that could be sold, for example to town and parish councils, local charities and small businesses be put together and actively promoted.
- c) Assets such as the Town Halls (Tiverton and Crediton) to be used to maximise income, either by sale, rent or by joint development as they are assets that could generate income.
- d) Conditions of service to be reviewed to consider amending terms and conditions regarding sickness benefits for new employees.
- e) Management information to show long and short term sickness figures.
- f) That staff be incentivised to put forward business ideas and suggestions that could be taken forward to generate income and that some form of reward scheme be put in place.
- g) That the authority becomes less risk adverse and encourage new ventures.
- h) That the Scrutiny Committee undertake a review on the effect of price rises on the Leisure Service, based on appendix 1 of the report.

10. **Planning Policy Documents for Consideration by Planning Policy Advisory Group, Cabinet and the Council** *(Pages 89 - 92)*
Report of the Head of Planning and Regeneration seeking to amend which planning policy documents will be considered by the Planning Policy Advisory Group (PPAG), Cabinet and Council, providing further detail and clarity pertinent to the Scheme of Delegation within the Council's Constitution.
11. **Locally Led Garden Villages, Towns and Cities** *(Pages 93 - 96)*
Report of the Head of Planning and Regeneration requesting Members to consider a bid for DCLG support to deliver East Cullompton as a Locally Led Garden Village.
12. **Delivery of Starter Homes** *(Pages 97 - 102)*
Report of the Head of Planning and Regeneration regarding a bid for funding for the delivery of starter homes.
13. **S106 Monitoring Fees** *(Pages 103 - 108)*
Report of the Chief Executive requesting consideration of the introduction of a monitoring fee within future legal agreements made pursuant to S106 of the Town and Country Planning Act 1990.
14. **Landscape Implications of Solar Energy Proposals Supplementary Planning Document** *(Pages 109 - 250)*
Report of the Head of Planning and Regeneration requesting approval of the Solar PV Developments in the Landscape Supplementary Planning Document (SPD).
15. **Land at Isabella Road, Tiverton** *(Pages 251 - 256)*
Report of the Head of Housing and Property Services regarding the appropriation for planning purposes pursuant to s.122 of the Local Government Act 1972 of a parcel of land at Isabella Road, Tiverton.
16. **Performance and Risk Q4 Outturn for 2015/16** *(Pages 257 - 282)*
Report of the Head of Communities and Governance providing Members with an update on performance against the corporate plan and local service targets for 2015-16 as well as providing an update on the key business risks.
17. **Notification of Key Decisions** *(Pages 283 - 296)*
To note the rolling plan containing key decisions.

Stephen Walford
Chief Executive
Wednesday, 1 June 2016

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

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