

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **COUNCIL** held on 31 August 2016 at 6.00 pm

### **Present**

#### **Councillors**

W J Daw (Chairman)  
Mrs E M Andrews, Mrs H Bainbridge,  
Mrs A R Berry, Mrs J B Binks,  
R J Chesterton, Mrs C Collis,  
Mrs F J Colthorpe, D R Coren, N V Davey,  
Mrs C P Daw, R M Deed, Mrs G Doe,  
R J Dolley, J M Downes, C J Eginton,  
R Evans, S G Flaws, Mrs S Griggs,  
P H D Hare-Scott, P J Heal, T G Hughes,  
Mrs B M Hull, F W Letch, B A Moore,  
R F Radford, F J Rosamond, Mrs E J Slade,  
Miss C E L Slade, C R Slade, J L Smith,  
T W Snow, J D Squire, Mrs M E Squires,  
R L Stanley, L D Taylor, N A Way,  
Mrs N Woollatt and R Wright

### **Apologies**

#### **Councillors**

K Busch, D J Knowles and Mrs J Roach

### **33 Apologies**

Apologies were received from Councillors: K I Busch, D J Knowles and Mrs J Roach.

### **34 Minutes**

The minutes of the meeting held on 29 June 2016 were agreed as a correct record and signed by the Chairman.

The minutes of the extraordinary meeting held on 29 June 2016 were agreed as a correct record and signed by the Chairman.

### **35 Chairman's Announcements**

The Chairman informed the meeting that Cllr D J Knowles was unwell and on behalf of the Council he wished him well.

### **36 Public Question Time (00-08-00)**

Ann Varker referring to Motion 527 asked whether Councillors were aware that in 3 months 200 people had signed a petition with regard to this issue.

Carol Bray representing the Devon WASPI Supporters Group and referring to Motion 526:

I would like to thank the Chair and Councillors Roach and Woollatt for proposing the Motion for fair transitional state pensions for women born in the 1950's

Will Mid Devon District Council help to bring justice to the women of Mid Devon and throughout the rest of the country who have disproportionately borne the financial burden of equalisation of the state pension age? WASPI (Woman against state pension's inequality) has been campaigning for fair transitional arrangements for women born in the 1950's who have been affected by the rapid rise in state pension age with little or no notice. WASPI is not affiliated with any political party but is working with all parties to see redress for this injustice. We are not against the equalisation of the pension age but the unfair way that it has been implemented. The 1995 Pensions Act increased the state pension age for women to 65, gradually equalising with the state pension age for men by 2020. The 2011 act accelerated and further increased the age to 66 for both men and women by 2020. But, they forgot to tell us. Some women received just one year's notice or never received a letter at all. Had we been told sooner we could have made different arrangements along the way; many have taken redundancy or early retirement packages, given up paid employment to care for family members and grandchildren, expecting our pensions at 60? Why wouldn't we, it's been that way for 70 years or so. The consequence is a significant loss of pension income, £40,000 or more for those waiting an extra 6 years for state pensions. Finding work at 60+ is difficult, many women are in ill health and others are suffering the humiliation of applying for benefits. Many women are facing dire financial hardship, some having to sell their homes, particularly hard hit are single and widowed women but for those with a supporting partner even it is humiliating to be asking for handouts and some partners are having to work longer to maintain the household income. So you will see that it affects the whole family, husbands, children, grandchildren and parents even. This generation of women have not had the opportunity to build up private pensions or savings as men have, no equal pay, barred from joining private pensions schemes until the 1990's, no free childcare like women have today. Now at what should be the end of our working life we are being treated unfairly yet again. Will the Council please support the motion for fair transitional state pension arrangements for 1950's women?

The Chairman stated that, the pension issue would be discussed a little later in the meeting and that the Syrian Refugee issue would be addressed by the Decent and Affordable Homes Policy Development Group at its meeting on the 13 September.

### 37 **Petitions (0012-13)**

There were no petitions from members of the public.

### 38 **Notices of Motions (00-12-30)**

#### **(1) Motion 526 (Councillors Mrs J Roach and Mrs N Woollatt – 13 July 2016)**

The Council had before it a **MOTION** submitted in accordance with Procedure Rule 14.1:

The Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6th April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.

The **MOTION** was **MOVED** by Councillor Mrs N Woollatt and seconded by Councillor Mrs J B Binks.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that the Motion be dealt with at this meeting.

Following debate and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

**(2) Motion 527 (Councillors Mrs J B Binks, Mrs J Roach, Mrs N Woollatt and R Wright 21 July 2016)**

The Council had before it a **MOTION** submitted in accordance with Procedure Rule 14.1:

“That this Council supports the Syrian Vulnerable Persons Scheme as detailed below and commits to working with the private sector to achieve placements.”

The Scheme has been developed since September 2015 having evolved from a number of earlier Gateway Scheme. The United Nations High Commissioner for Refugees (UNHCR) will refer people to the scheme, based on a criteria set by the UK. This currently prioritises those who cannot be supported effectively in their region of origin: women, children and young people at risk, people in severe need of medical care and survivors of torture and violence, refugees with legal and/or physical protection needs; refugees with medical needs or disabilities; persons at risk due to their sexual orientation or gender identity; and refugees with family links in resettlement countries. Most beneficiaries of the scheme will currently be living in Turkey, Jordan and Syria, though not all in designated refugee camps.

The UNHCR conducts a series of checks including a robust identification process prior to referring a refugee to the UK Scheme. Referrals are then further screened and considered by the Home Office for suitability for entry to the UK. The Home Office checks that they meet eligibility criteria and carries out medical and security checks.

By the time a UNHCR referred refugee arrives in the UK they have been through a thorough two stage vetting process to ensure government knows who is entering the country. This includes the taking of biometrics, documentary evidence and interviews.

**What this means in practice** – Local authorities can choose whether to participate in the scheme. Participating Local Authorities pass offers of suitable accommodation to the Home Office who then match available accommodation to a refugee family. Case information is exchanged including details of family make up, age and specific needs. The Local Authority is asked to confirm whether it can accommodate and support those specific cases, having consulted key local agencies.

On accepting to arrange resettlement, local authorities then need to co-ordinate activity to ensure that provision and support needed under the terms of the scheme is available and ready to access. Refugees will be granted a five year humanitarian protection visa. Refugees will have a National Insurance number, access to UK benefits and the right to work. Housing benefit will fund accommodation costs initially. We would expect that in the vast majority of cases refugees will want to stay in the area of the UK in which they have been resettled. However refugees are free to move elsewhere in the UK if they choose. If a refugee and their family wish to move

to another part of the UK after their initial arrival, under the terms of the scheme, they will no longer be entitled to accommodation that had been allocated and they will no longer have resettlement support in the authority in which they were first placed. The scheme will continue to run alongside other resettlement schemes and other asylum procedures.

The scheme depends on finding suitable accommodation that is aligned to the current requirements of local housing authorities and that can be paid for initially through existing housing benefit allocation. The scheme sets out to resettle refugees not simply to shelter them. Accommodation must be suitable for families to live safe, independent and productive lives, just as local authorities would aim to provide for any homeless family.

Clearly housing costs and availability varies considerably across the County and whilst there is capacity in most parts of the County to support resettlement, this has to be aligned to affordable and available accommodation. Whilst some very rural parts of Devon may provide suitable accommodation opportunities, this needs to be balanced with meeting the anticipated wider needs of resettled refugees, i.e. access to schools, healthcare, cultural, religious and support networks as required alongside opportunities for employment.

The County Council recognises that expertise of supporting refugees (alongside those seeking asylum and dealing with wider migration issues) largely sits in other organisations, largely within the voluntary and community sector. It is therefore the intention to support a number of voluntary and community sector organisations to deliver much of the Syrian Scheme on behalf of the wider partnership. Refugee Support Devon will be playing a leading and significant part in this, but it is anticipated that other groups may also be able to take a role at a community level as resettlement develops across the County.

Until families have begun to be safely and successfully resettled, we do not intend to make public announcements with regards to the arrival date or destination of refugee families.

Accommodation continues to be difficult to source locally and there are concerns that commitments from local Housing Authorities (currently to resettle up to 70 families over the course of the scheme) will not be met as a result. We will soon commission a short film and publicity aimed at local current and potential landlords to highlight the Scheme and its opportunities for them and the wider community.

The **MOTION** was **MOVED** by Councillor Mrs J B Binks and seconded by Councillor N A Way.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this **MOTION STAND REFERRED** to the Decent and Affordable Homes Policy Development Group for consideration.

### **(3) Motion 528 (Councillor P J Heal - 10 August 2016)**

The Council had before it a **MOTION** submitted in accordance with Procedure Rule 14.1:

That the Council investigates the provision of an elasticated net system for use on recycling boxes to prevent light materials such as plastics and cardboard being blown out and causing litter.

The **MOTION** was **MOVED** by Councillor P J Heal and seconded by Councillor D R Coren.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this **MOTION STAND REFERRED** to the Managing the Environment Policy Development Group for consideration.

**(4) Motion 529 (Councillor Mrs C A Collis - 17 August 2016)**

The Council had before it a **MOTION** submitted in accordance with Procedure Rule 14.1:

That the Council investigates joint working with other Councils to recycle soft plastics such as polythene and film and to avoid putting these non-degradable items into landfill. This will benefit the environment for future generations and expand on the recycling that Mid Devon is already doing so well.

The **MOTION** was **MOVED** by Councillor Mrs C A Collis and seconded by Councillor Mrs S Griggs.

In accordance with Procedure Rule 14.4, the Chairman of the Council had ruled that this **MOTION STAND REFERRED** to the Managing the Environment Policy Development Group for consideration.

**39 Cabinet Report - Meeting held on 7 July 2016 (00-24-50)**

The Leader presented the report of the meeting of the Cabinet held on 7 July 2016.

Arising thereon:-

**(1) Proposed Greater Exeter Strategic Plan (Min 38)**

The Leader **MOVED**, seconded by Councillor R J Chesterton:-

**“THAT** the recommendation of the Cabinet as set out in Minute 38 be **ADOPTED”**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Note: Councillor Mrs E M Andrews requested that her abstention from voting be recorded.

**40 Cabinet - Report - Meeting held on 4 August 2016 (00-29-37)**

The Leader presented the report of the meeting of the Cabinet held on 4 August 2016.

Arising thereon:-

**(1) Public Health Enforcement Policy (Min 45)**

The Leader **MOVED**, seconded by Councillor C R Slade:-

**“THAT** the recommendation of the Cabinet as set out in Minute 45 be **ADOPTED”**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Council had before it a question\* with regard to Minute 47, submitted by Councillor T W Snow in accordance with Procedure Rule 13.2(1) together with a response from the Cabinet Member for Housing.

Councillor T W Snow asked a supplementary question in accordance with Procedure Rule 13.2(6)a - the garden is in a terrible state and we don't seem to be taking any action. How many fixed penalty notices had been sent over the last few years.

The Cabinet Member for Housing stated that fixed penalty notices had been issued to the residents in question. With regard to the number of fixed penalty notices that had been issued generally over the last few years, he was not sure but knew that 2 had been issued in the current year.

#### 41 **Scrutiny Committee - Report - Meeting held on 18 July 2016 (00-33-28)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 18 July 2016.

##### **Arising thereon:-**

(1) Corporate Strap Line (Min 26)

The Chairman of the Scrutiny Committee **MOVED**, seconded by Councillor Mrs A R Berry:-

**“THAT** the recommendation of the Scrutiny Committee as set out in Minute 26 be **ADOPTED”**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Note: Councillors R M Deed, Mrs M E Squires, R L Stanley and Mrs N Woollatt requested that their abstention from voting be recorded.

#### 42 **Scrutiny Committee - Report - meeting held on 19 August 2016 (00-35-35)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 19 August 2016.

#### 43 **Audit Committee - Report - Meeting - held on 28 June 2016 (00-40-19)**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 28 June 2016.

**44 Audit Committee - Report - held on 15 July 2016 (00-41-02)**

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 15 July 2016.

**45 Managing the Environment Policy Development Group - Report - Meeting held on 12 July 2016 (00-42-08)**

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 12 July 2016.

**46 Decent and Affordable Homes Policy Development Group - Meeting - held on 19 July 2016 (00-45-09)**

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 19 July 2016.

**47 Economy Policy Development Group - Report - Meeting held on 21 July 2016 (00-48-40)**

The Chairman of the Economy Policy Development Group presented the report of the meeting of the Group held on 21 July 2016.

**48 Joint Meeting of the Community Well Being and Decent and Affordable Homes Policy Development Groups - Report - held on 8 July 2016 (00-49-22)**

The Chairman of the Community Well Being Policy Development Group presented the report of the joint meeting of the Groups held on 8 July 2016.

**49 Community Well-Being Policy Development Group - Report - Meeting held on 2 August 2016 (00-50-00)**

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held 2 August 2016.

**50 Planning Committee - Report - Meeting held on 6 July 2016 (00-50-50)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 6 July 2016.

**51 Planning Committee - Report - held on 3 August 2016 (00-52-18)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 3 August 2016.

**52 Standards Committee - Report - Meeting - held on 20 July 2016 (00-55-36)**

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 20 July 2016

**Arising thereon**

**(1) Planning Procedures (Min 8)**

(a) The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs F J Colthorpe **THAT** recommendation (a) as set out in Minute 8 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

(b) The Chairman of the Standards Committee **MOVED**, seconded by Councillor F J Colthorpe **THAT** recommendation (b) as set out in Minute 8 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(c) The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs F J Colthorpe **THAT** recommendation (c) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(d) The Chairman of the Standards Committee **MOVED**, seconded by Councillor R M Deed **THAT** recommendation (d) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

(e) The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs F J Colthorpe **THAT** recommendation (e) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(f) The Chairman of the Standards Committee **MOVED**, seconded by Councillor R M Deed **THAT** recommendation (f) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(g) The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs F J Colthorpe **THAT** recommendation (g) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(h) The Chairman of the Standards Committee **MOVED**, seconded by Councillor R M Deed **THAT** recommendation (h) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(i) The Chairman of the Standards Committee **MOVED**, seconded by Councillor F J Rosamond **THAT** recommendation (i) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(j) The Chairman of the Standards Committee **MOVED**, seconded by Councillor B A Moore **THAT** recommendation (j) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.



(k) The Chairman of the Standards Committee **MOVED**, seconded by Councillor Miss C E L Slade **THAT** recommendation (k) as set out in Minute 8 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Councillor Mrs F J Colthorpe **MOVED** an **AMENDMENT** seconded by Councillor C R Slade that an additional item (l) be added stating that Ward Members whether or not Members of the Planning Committee are limited to 5 minutes when speaking in their role as Ward Member.

Following discussion and upon a vote being taken, the **AMENDMENT** was declared to have been **CARRIED**.

## **(2) Policy Development Group Titles (Min 10)**

The Chairman of the Standards Committee **MOVED**, seconded by Councillor R M Deed **THAT** the recommendation as set out in Minute 10 be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

### **53 Licensing Committee - Report - 18 July 2016 (1-18-00)**

The Chairman of the Licensing Committee presented the report of the meeting of the Committee held on 18 July 2016.

### **54 Regulatory Committee - Report - held on 18 July 2016 (1-20-03)**

The Chairman of the Regulatory Committee presented the report of the meeting of the Committee held on 18 July 2016.

### **55 Questions (1-19-46)**

There were no questions submitted under Procedure Rule 13.2.

### **56 Independent Remuneration Panel Report - August 2016 (1-20-03)**

The Council had before it a \*report of the Head of Communities and Governance informing Members of recommendation from the review undertaken by the Independent Remuneration Panel.

The Chairman **MOVED, THAT:**

- a) The Basic Allowance to be paid to all Councillors remain at the current level of £4691 with any increases being linked to the staff pay award.

Councillor C J Eginton **MOVED** and **AMENDMENT** seconded by Councillor C R Slade that the basic allowance to be paid to all Councillors be increased by £174 to £4865 with any further increases being linked to the staff pay award.

Following discussion and upon a vote being taken, the **AMENDMENT** was declared to have been **CARRIED**.

Notes:

- (i) Councillors Mrs E M Andrews, R J Dolley, J L Smith and L Taylor requested that their vote against the decision be recorded;
- (ii) Councillors D R Coren and Mrs N Woollatt requested that their abstention from voting be recorded.

The Chairman **MOVED, THAT:**

- b) There be a reduction in the weighting applied to the Licensing and Regulatory Committee Chairman's SRA from 0.5 to 0.25.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- c) All other Special Responsibility Allowances be paid to the following Members at the levels indicated:

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,073
Deputy Leader	1.50	£7,037
Cabinet Member	1.25	£5,864
Scrutiny Committee Chair	1.25	£5,864
PDG Chair	0.75	£3,518
Audit Committee Chair	0.75	£3,518
Planning Committee Chair	1.25	£5,864
Licensing/Regulatory Chair	0.25	£1,173
Standards Chair	0.25	£1,173
Chairman of the Council	0.50	£2,346

Councillor C J Eginton **MOVED** an **AMENDMENT** seconded by Councillor C R Slade that: all other Special Responsibility Allowances be paid to the following Members at the levels indicated:

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1,216

Chairman of the Council	0.50	£2,433
-------------------------	------	--------

Upon a vote being taken, the **AMENDMENT** was declared to have been **CARRIED**.

Note: Councillors: F J Rosamond and N Woollatt requested that their abstention from voting be recorded.

The Chairman **MOVED, THAT:**

- d) To confirm that no Member should be entitled to claim more than **one** Special Responsibility Allowance.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- e) The Leader and Cabinet Members be requested to keep a record of the additional workload experiences as a result of the Greater Exeter proposal and Devolution.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- f) Having received evidence from the Cabinet, a meeting of the Panel be organised to recommend a new scheme of allowances from 1 April 2017.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- (g) Carers' allowances be calculated on the current basis namely, the actual expenditure up to the national living wage of a person over 25.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- (h) Travel allowances be linked to HMRC rates and calculated at the national levels indicated, currently:

- 45p per mile for the first 10,000 miles
- 25p per mile thereafter
- 5p per mile per passenger carried (up to a maximum of 4 passengers payable to the driver)
- 25p per mile for pushbikes

That only travel from within the Mid Devon border to attend an official duty be recompensed to the Member.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- (i) The subsistence allowances be linked to those of the staff, currently these are as follows:

- Breakfast - £7.02
- Lunch - £9.70
- Tea - £3.81
- Dinner - £12.00

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Chairman **MOVED, THAT:**

- (j) All claims for travel and subsistence reimbursement be accompanied by an appropriate receipt.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED.**

The Chairman **MOVED, THAT:**

- (k) An annual digital allowance of £150 be paid to Members using digital devices only.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED.**

Notes:

- (i) Councillors Mrs H Bainbridge and J L Smith requested that their vote against the decision be recorded;
- (ii) Councillors R J Dolley and L Taylor requested that their abstention from voting be recorded.

The Chairman **MOVED, THAT:**

- (l) The current Town and Parish Council Scheme of Allowances remain in place.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

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

## 57 **Questions to Cabinet Members (1-42-24)**

There were no questions to Cabinet Members.

## 58 **Members Business (1-42-42)**

Councillor J L Smith referring to the Heathcoats 200 Party held in Tiverton on Monday 29 August stated that the party had been a wonderful way to thank the residents of Tiverton and requested that the Council write to Heathcoats personally.

He would also like to thank the Tree Officer and the Operations Manager for their work with regard to the fallen tree in the park that had to be cleared away prior to the party taking place.

Councillor Mrs N Woollatt referring to Motion 526 stated that the WASPI Local Action Day would be taking place in Princesshay, Exeter on 16 September.

(The meeting ended at 7.45 pm)

**CHAIRMAN**

This page is intentionally left blank

# Minute Annex

## **AMENDMENTS AND WRITTEN QUESTIONS – FULL COUNCIL – 31 AUGUST 2016**

### **AMENDMENTS**

#### **1. Agenda Item 7**

**Heading: COMMITTEE REPORTS (9)**

**Amendment submitted by Councillor: Mrs F J Colthorpe**

The addition of recommendation (l) stating: that Ward Members whether or not Members of the Planning Committee are limited to 5 minutes when speaking in their role as Ward Member.

#### **WORDING IF AMENDMENT APPROVED:**

Recommendations within the report, with the addition of (l) that Ward Members whether or not Members of the Planning Committee are limited to 5 minutes when speaking in their role as Ward Member.

#### **2. Agenda Item 9**

**Heading: INDEPENDENT RUMUNERATION PANEL REPORT – AUGUST 2016**

**Amendment submitted by Councillors: C J Eginton, R J Chesterton, N V Davey, P H D Hare-Scott, Mrs M E Squires and R L Stanley**

a) The Basic Allowance to be paid to all Councillors be increased by £174 to £4865.

Informative note ; £4865 is the average Basic Allowance across the 4 Greater Exeter authorities .

#### **WORDING IF AMENDMENT APPROVED:**

a) The basic allowance to be paid to all Councillors be increased by £174 to £4865 with any further increases being linked to the staff pay award.

#### **3. Agenda Item 9**

**Heading: INDEPENDENT RUMUNERATION PANEL REPORT – AUGUST 2016**

**Amendment submitted by Councillors: C J Eginton, R J Chesterton, N V Davey, P H D Hare-Scott, Mrs M E Squires and R L Stanley**

c) All other Special Responsibility Allowances be paid to the following Members at the levels indicated :

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1.216
Chairman of the Council	0.50	£2,433

Informative note; All the weightings remain unchanged from the current scheme with the exception of the Licensing and Regulatory Committee Chairman's as Recommendation b)

**WORDING IF AMENDMENT APPROVED:**

c) All other Special Responsibility Allowances be paid to the following Members at the levels indicated:

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1.216



Chairman of the Council	0.50	£2,433
-------------------------	------	--------

## **WRITTEN QUESTIONS**

### **1. CABINET - 4 AUGUST 2016**

#### **MIN NO 47**

#### **Questions submitted by Councillor T W Snow and the response of the Cabinet Member for Housing**

We have a 27 page document for terms of secure tenancy for our houses

On page 11 bullet point 3.8.1 it clearly states that gardens must be well maintained including cutting of grass.

Also no storage of household furniture, scrap materials or vehicle parts in the garden area.

Also fair consideration when you light bonfires and also the banning of toxic plastics at any time confirmed by another officer.

I have been shown a letter from one of our officers as follows.

Should the tenant not keep to these terms the housing property services manager is insistent that we ask for all payable recharge work to be paid in advance, we cannot force tenants to pay for this and as he said it doesn't encourage the tenant to take the on going responsibility of maintaining a garden that forms part of the property.

In other words where tenants refuse to keep to the terms we just look the other way and ignore the aggravation caused to neighbouring properties and the area.

Whilst rented property outside the council dictate has strict and enforceable rules to ensure this does not happen why are we ignoring our own tenancy conditions which we should enforce for the better of their neighbour's.

#### **RESPONSE**

The current tenancy agreement contains a number of clauses which set out the tenant's responsibilities relating to gardens.

I can confirm that our Officers do take action if they are aware that gardens are not being maintained as expected. They do not ignore such issues. Generally, tenancy conditions have to be enforced by obtaining a Possession Order which has to be awarded by a Court. However, this type of action is unlikely to be successful in cases where there are issues relating to the upkeep of a garden. This is because the Court would need to find that it would be both reasonable and proportionate to deprive someone of their home because they had failed to keep their garden in a clean and tidy condition.

For this reason, we have to consider alternative options. Sometimes, it may be appropriate to involve other agencies, or to serve a Fixed Penalty Notice. The responsibility to maintain a garden remains with the tenant and the Neighbourhood teams will work with them to

ensure that they understand this and that they appreciate the need to keep any outdoor space in a clean and tidy condition.”

---