

## **MID DEVON DISTRICT COUNCIL**

**A MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 25 October 2017 at 6.00 pm

**ALL MEMBERS** of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

**[The next meeting is scheduled to be held in Tiverton on Wednesday, 13 December 2017 at 6.00 pm]**

### **STEPHEN WALFORD**

Chief Executive

17 October 2017

**Members are reminded of the need to make declarations of interest prior to any discussion which may take place**

Reverend Philip Porter from Tiverton Baptist Church will lead the Council in prayer.

## **AGENDA**

### **1 Apologies**

To receive any apologies for absence.

### **2 Minutes *(Pages 7 - 14)***

To approve as a correct record the Minutes of the Meeting of Council on 30 August 2017.

The Council is reminded that only those Members present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.

### **3 Chairman's Announcements**

To receive any announcements which the Chairman of the Council may wish to make.

### **4 Public Question Time**

To receive any questions relating to items on the agenda from members of the public and replies thereto.

### **5 Petitions**

To receive any petitions from members of the public.

6      **Notices of Motions**

**(1)      Motion 540 (Councillor Mrs J Roach – 12 October 2017)**

The Council has before it a **MOTION** submitted for the first time:

This Council agrees to give serious consideration to seeking alternative methods of managing the Tiverton Pannier Market, to include a community interest company and a co-operative. Following these considerations Council will be given detailed information about the advantages and disadvantages of the options that were discussed. Council should then be able to decide whether to change their policy and pursue a different management model.

In accordance with Procedure Rule 14.4, the Chairman of the Council has decided that this Motion (if moved and seconded) will be referred without discussion to the Economy Policy Development Group.

7      **Committee reports** *(Pages 15 - 114)*

To receive and consider reports, minutes and recommendations of the recent meetings as follows:

(1) Cabinet

- 31 August 2017
- 28 September 2017 – it is proposed that consideration be given to the recommendation within Minute 65 as part of agenda item 14.

2) Scrutiny Committee

- 11 September 2017
- 9 October 2017

(3) Audit Committee

- 19 September 2017

(4) Environment Policy Development Group

- 5 September 2017

(5) Homes Policy Development Group

- 12 September 2017

(6) Economy Policy Development Group

- 7 September 2017

(7) Community Policy Development Group

- 26 September 2017

(8) Planning Committee

- 6 September 2017
- 4 October 2017

(9) Standards Committee

- 18 October 2017 (to follow)

8 **Allocation** (*Pages 115 - 118*)

Following the by-election at the Westex Ward in Tiverton, the Council are required to consider an updated allocation; any amendment to seats to be filled by ungrouped Members shall be made at this meeting.

9 **Outside Body Appointment**

To seek nominations and appoint a Member of the Council to the Councillor Advocate Scheme. This position will act as a link between the Council, Office of the Police and Crime Commissioner (OPCC) and the local police team.

10 **Special Urgency Decisions**

Decisions taken under Rule 16 (of the Constitution) Special Urgency – July to September 2017.

There have been no such decisions in this period.

11 **Questions to Cabinet Members**

Cabinet Members will answer questions from members on their portfolios.

12 **Members Business**

To receive any statements made and notice of future questions by Members.

Note: the time allow for this item is limited to 15 minutes.

13 **Access to Information - Exclusion of Press and Public**

During discussion of the following item(s) 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 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)

14     **Cabinet - 28 September 2017 - Minute 65 - Proposed Property Transaction** *(Pages 119 - 126)*

To consider the recommendations of the Cabinet from its meeting on 28 September 2017 regarding a proposed property transaction.

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 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.