

# Mid Devon District Council

## Cabinet

Thursday, 14 June 2018 at 2.15 pm  
Exe Room, Phoenix House, Tiverton

Next ordinary meeting  
Thursday, 5 July 2018 at 2.15 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr C J Eginton	Leader and Environment
Cllr R J Chesterton	Deputy Leader and Planning and Economic Regeneration
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. Declarations of Interest under the Code of Conduct**  
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
- 3. Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
- 4. Minutes of the Previous Meeting (Pages 7 - 14)**  
Members to consider whether to approve the minutes as a correct record of the meeting held on 23 May 2018
- 5. Bereavement Services Fees and Charges (Pages 15 - 26)**  
To reconsider a report of the Director of Finance, Assets and Resources setting out the Bereavement Service fees and charges for 2018/19. This report had previously been considered by the Cabinet on 5 April 2018, however, due to a change in Government guidance with regard to fees

and charges, the it had been resolved that the matter be referred back to the PDG for further consideration.

6. **Street Scene Education and Enforcement Service** (Pages 27 - 32)  
Following a report of the Group Manager for Streetscene and Open Spaces, the Environment Policy Development Group had made the following recommendations:

- a) The fine for littering be increased to the statutory maximum of £150.
- b) The time allocated to discretionary duties be varied as specified in paragraph 2, Table 2.
- c) Policies, systems and procedures necessary to enable Fixed Penalty Notices (FPN's) to be served on the relevant person(s) associated with littering from vehicles be introduced.

7. **Tenant Involvement Strategy** (Pages 33 - 60)  
Following a report of the Group Manager for Housing, the Homes Policy Development Group had recommended that the revised Tenant Involvement Strategy be approved

8. **Tenant Involvement Policy** (Pages 61 - 70)  
Following a report of the Group Manager for Housing, the Homes Policy Development Group had made the following recommendation: that the revised Tenant Involvement Policy be approved subject to a revision of paragraph 9 on Equality and Diversity to state the following:

As a registered provider of social housing, the Council has an equality duty and is bound by the provisions of the Equality Act 2010. This means that the Housing Service must ensure that there will be no discrimination or unfair treatment on the grounds of gender (or gender reassignment), race, colour, ethnicity or national origin, faith, sexual orientation, marital/civil partnership status, age, disability, politics or trade union membership. We will not tolerate any discriminatory remarks or actions and will challenge anyone who behaves in that manner. Tenants will be excluded from any further involvement if they continue to behave in an offensive or discriminatory manner.

9. **Community Housing Fund Grant Policy** (Pages 71 - 96)  
Arising from a report of the Group Manager for Housing Services, the Homes Policy Development Group had recommended that the Cabinet recommend to Council that:

- a) The Community Led Housing Fund Grant Policy be adopted and endorsed so that it can be used within the Council's District.
- b) That Members support the framework for the allocation of grants as presented within the report.
- c) Should any disagreements occur then the final decision should be delegated to the Director of Operations in conjunction with the Cabinet Member.

10. **Revenue and Capital Outturn 2017/18** (Pages 97 - 134)  
To consider a report of the Director of Finance, Assets and Resources presenting the revenue and capital outturn figures for the financial year 2017/18.
11. **Annual Treasury Management Report** (Pages 135 - 144)  
To consider a report of the Director of Finance, Assets and Resources providing Members with a review of activities and the actual prudential treasury indicators for 2017/18.
12. **Revenues and Benefits Performance Report** (Pages 145 - 148)  
To consider a report of the Director of Finance, Assets and Resources providing an overview of the performance of the Revenues and Housing Benefits Services in 2017/18.
13. **Tiverton Eastern Urban Extension Area A – Masterplanning - Land South of West Manley Lane** (Pages 149 - 278)  
Report of the Head of Planning, Economy and Regeneration updating Members on the outcome of the public consultation regarding the proposal to amend the adopted Masterplan Supplementary Planning Document (SPD) by removing housing land parcels on the southern side of West Manley Lane (within Area A) and to seek approval to revise the adopted Masterplan SPD accordingly.
14. **Revised Data Protection Policy** (Pages 279 - 288)  
To consider a report of the Group Manager for Performance, Governance and Data Security updating the existing policy to incorporate the requirements of the Data Protection Act (DPA) 2018 and GDPR.
15. **Records Management** (Pages 289 - 296)  
To consider a report of the Group Manager for Performance, Governance and Data Security requesting the Cabinet to approve the revised Records Management Policy.
16. **Performance and Risk** (Pages 297 - 334)  
To consider a report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.
17. **Notification of Key Decisions** (Pages 335 - 346)  
To note the contents of the Forward Plan.
18. **Access to Information - Exclusion of the 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) .

19. **Crediton Office, Crediton** (Pages 347 - 428)

Following the meeting on 10<sup>th</sup> May 2018, the Chairman of the Scrutiny Committee had called in the decision of the Cabinet: that subject to contract, to dispose of the Crediton office building to buyer 2 on the terms set out in paragraph 3.5 of the report for the following reasons:

1. the decision appears to have been made, not in haste, but without full recognition of the potential for:
  - further negotiations to take place with Crediton Town Council to see whether a more acceptable offer could be achieved. There is, despite the known financial pressures in local government, no deadline by which the decision had or has to be made - other than the need for a disposal to take place before the end of the 18-month protected period which applies to disposals of assets of community value in order to avoid a further moratorium.
  - the central and valued location of the building to Crediton which, if it were to be transferred to Crediton Town Council, could sustain the well-being and social cohesion of the town
2. it is unclear how the Cabinet took into account the following Corporate Plan objectives:
  - working with local communities to encourage them to support themselves, including retaining and developing their local facilities and services
  - working with town and parish councils

The Scrutiny Committee at its meeting on 21 May 2018

**“RESOLVED** that the Cabinet be requested to reconsider its decision to dispose of the Crediton office building to buyer 2 and that Crediton Town

Council be allowed to make a final offer for the building”.

**Stephen Walford**  
Chief Executive  
Wednesday, 6 June 2018

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 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

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

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