

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 5 July 2018 at 2.15 pm

Present

Councillors

C J Eginton (Leader)
R J Chesterton, P H D Hare-Scott,
C R Slade, Mrs M E Squires and
R L Stanley

Also Present

Councillor(s)

F W Letch and F J Rosamond

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Jenny Clifford (Head of Planning, Economy and Regeneration), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Tristan Peat (Forward Planning Team Leader) and Sally Gabriel (Member Services Manager)

37. APOLOGIES

There were no apologies.

38. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

Members were reminded of the need to declare any interests when appropriate.

39. PUBLIC QUESTION TIME

There were no members of the public present.

40. MINUTES OF THE PREVIOUS MEETING (00-01-05)

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

41. LOCAL PLAN EXAMINATION HEARING (00-02-18)

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration requesting delegated authority to follow instructions from the appointed Inspector to assist with the examination of the Local Plan Review.

Forward Planning Team Leader stated that the requests within the report were necessary for the smooth running of the examination process and that the necessary delegated authority would allow Planning Officers and others to work with the Inspector if required. Throughout the course of the examination, the Inspector may ask for additional information, this could include papers and statements with

responses required on specific issues and could include responses to supplementary questions not previously responded to in hearing statements. It was possible that the Inspector may ask officers to undertake additional work and also engage with other participants in providing information to assist the Inspectors examination of the Local Plan.

Consideration was given to:

- The need to be prepared to work with the Inspector effectively
- How Members would be kept informed
- The possible timings for the rest of the examination process and why 2013 was still mentioned in the title of the Plan.

RECOMMENDED to Council that:

Delegated authority be given to:

- i) Officers to follow instructions from the appointed Inspector to assist with the examination of the Local Plan Review.
- ii) The Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to agree upon a set of proposed main modifications if arising during the examination process (most likely at the very end of the examination process) and if asked by the Inspector to do so, and seek approval from the Council to consult on these together with any updated Sustainability Appraisal.
- (iii) The Head of Planning, Economy and Regeneration the ability to make any presentational improvements or other consequential minor changes (e.g. correcting typographical errors or factual inaccuracies and matters of clarification) to the Local Plan or its Policies Map prior to the consultation on proposed main modifications commencing.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs M E Squires)

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

42. **RECORDS MANAGEMENT ACTION PLAN (00-10-53)**

The Cabinet had before it a *report of the Group Manager for Performance, Governance and Data Security setting out a revised Records Management Action Plan.

She outlined the contents of the report stating that in accordance with the new Data Protection legislation it was vital that records handling happened as part of a managed process and was logged, this was a new and significant legal requirement. The Records Management Policy had previously been approved and the Action Plan would reinforce the requirements of the GDPR and Data Protection Act 2018

Consideration was given to possible over reaction with regard to the sharing of information.

RESOLVED that the Records Management Action Plan be approved.

(Proposed by the Chairman)

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

43. **NOTIFICATION OF KEY DECISIONS (00-13-44)**

The Cabinet had before it, and **NOTED**, its rolling plan * for July 2018 containing future key decisions.

Note: *Plan previously circulated, copy attached to minutes

44. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (00-15-48)**

Prior to considering the following item on the agenda, discussion took place as to whether it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15 15.02(d) (a presumption in favour of openness) of the Constitution. The Cabinet decided that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

It was therefore:

RESOLVED 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)

(Proposed by the Chairman)

45. **THE GREEN, PUBLIC CONVENIENCE, CREDITON**

The Cabinet had before it a report * of the Deputy Chief Executive (S151), outlining options for the disposal of an asset.

The Cabinet Member for Housing outlined the contents of the report and a full discussion took place.

Returning to open session the Cabinet:

RESOLVED that the asset disposal of the closed Public Convenience at St Lawrence Green, Crediton be approved.

(Proposed by Cllr R L Stanley and seconded by Cllr P H D Hare-Scott)

Notes:-

- i) Cllr R J Chesterton declared a personal interest as the proposed purchaser was known to him;
- ii) *Report previously circulated.

(The meeting ended at 2.40 pm)

CHAIRMAN