

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the CABINET held on 7 February 2019 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)

Mrs B M Hull and F J Rosamond

Also Present

Officer(s):

Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Alan Keates (Group Manager for ICT and GMS Services), Joanne Nacey (Group Manager for Finance), Stuart Noyce (Group Manager for Street Scene and Open Spaces), Chris Shears (Economic Development Officer), Adrian Welsh (Group Manager for Growth, Economy and Delivery), John Bodley-Scott (Economic Development Team Leader), Nicola Cuskeran (Senior H R Business Partner), Gemma Causey (Accountant) and Sally Gabriel (Member Services Manager)

132. APOLOGIES

There were no apologies.

133. PUBLIC QUESTION TIME

There were no members of the public present.

134. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-01-02)

The following interests were declared:

Councillor	Interest	Reason
C J Eginton	Personal	Item 8 –as he owned a shop in Tiverton
C J Eginton	Personal	Item 17 – as he received a pension from Lloyds Banking Group
C J Eginton	Personal	Item 22 - as he owned a shop in Tiverton
R L Stanley	Personal	Item 22 – as this was within his portfolio as Cabinet Member

135. **MINUTES OF THE PREVIOUS MEETING (00-01-50)**

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

136. **SAFEGUARDING POLICY GUIDANCE AND PROCEDURES (00-03-06)**

Arising from a report of the Director of Corporate Affairs and Business Transformation, the Community Policy Development Group had recommended that the revised Safeguarding Policy and Procedures be approved.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that the revised policy provided greater clarity of roles and responsibilities of officers throughout the Council and provided a framework for developing partnerships within appropriate external bodies and other local authorities.

RESOLVED that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr C R Slade and seconded by Cllr Mrs M E Squires)

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

137. **BULKY WASTE CHARGES (00-04-23)**

To consider a * report of the Group Manager for Street Scene and Open Spaces regarding an alternative charging structure for bulky waste.

The Leader outlined the contents of the report stating that at a meeting on 8 January 2019, members of the Environment PDG had asked that the bulky waste charges be investigated to ensure that they were in line with other authorities in Devon. As part of the exercise it was shown that in certain instances users were actually paying less for more items being removed under the fixed price items charge. It was therefore proposed that the charge for fixed priced items, for example a settee and 2 armchairs be removed from the charging scheme and that those be dealt with as individual/additional items.

Discussion took place regarding the value of the scheme in that it sought to reduce fly tipping and that the revised scheme would commence on 1 April 2019 with a press release being produced to inform the public.

RESOLVED that the current fixed price item charge of £27 for bulky waste be abolished as recommended by the Environment Policy Development Group on 8 January 2019.

(Proposed by the Chairman)

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

138. **SHOP FRONT ENHANCEMENT SCHEME (00-07-02)**

Arising from a *report of the Head of Planning, Economy and Regeneration, the Economy Policy Development Group had recommended that a seed fund totalling £15,000 to maintain/reinstate shopfront enhancement schemes for the three main market towns in the District be approved.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that it was recognised that the visual attractiveness of a town centre was an important element of consumers choice as to where they shopped and was seen as a major contributor to a towns vitality and economic success. The shopfront scheme was a practical way to support local business owners, previous schemes had been a success and it was felt that the scheme should be continued in the 3 main towns.

Consideration was given to:

- The details provided in appendix 1 of the report with regard to individual schemes that had been completed
- The need to help local traders.

RESOLVED that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Notes:

- i) Cllr C J Eginton declared a personal interest as he owned a shop in Tiverton;
- ii) *Report previously circulated, copy attached to minutes.

139. **ECONOMIC STRATEGY (00-13-28)**

Arising from a report of the Head of Planning, Economy and Regeneration, the Economy Policy Development Group had made the following recommendations:

1. The Economic Strategy and year 1 action plan be approved.
2. That delegated authority be granted to the Head of Planning, Economy and Regeneration in consultation with the Chairman of the Economy PDG and Cabinet Member for Planning and Regeneration to finalise the document for publication (document appearance such as formatting, illustrative material and minor changes).
3. That delegated authority be granted to Head of Planning, Economy and Regeneration in consultation with the Chairman of the Economy PDG and Cabinet Member for Planning and Regeneration to add an appendix to include key employment sites.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report by way of presentation stating that the revised strategy had been developed by a process of engagement with Members through a series of informal workshops and local business representatives in which priorities and possible interventions had been discussed and was aimed to supplement the joint strategy created with other EHOD authorities. He highlighted the themes of discussion, the overarching objectives of the strategy, the five key themes, the proposed outcomes of the themes and the level of ambition.

Consideration was given to:

- The year 1 action plan
- How productivity could be influenced
- The need to attract new businesses into the area
- The work of the Economic Development Team with local businesses
- The need to upskill the workforce and how Petroc had widened its opportunities available to young people

RESOLVED that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

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

140. **VOID MANAGEMENT POLICY (00-36-22)**

Arising from a report of the Group Manager for Building Services, the Homes Policy Development Group had recommended that the revised Void Management Policy be approved and that the term of the policy be extended to 10 years.

The Cabinet Member for Housing outlined the contents of the report stating that the revised policy was a guide to tenants and officers on how the authority managed void properties in that how the properties should be left and what was available to new tenants. The revised policy had been aligned to the latest tenancy agreements and the recent Recharges Policy. It was envisaged that the policy have a 10 year lifespan.

RESOLVED that the recommendation of the Policy Development Group be approved.

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

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

141. **MEETING HOUSING NEEDS POLICY (00-40-11)**

Arising from a report of the Group Manager for Housing, the Homes Policy Development Group had recommended that:

- a) The revised Housing Options Supply and Demand Policy be approved;
- b) The Cabinet notes the Housing Options Service will continue to make best use of its temporary housing resources when accommodating homeless households.

The Cabinet Member for Housing outlined the contents of the report stating that the Councils statutory duties were governed by legislation by the Housing Act 1996 as amended under the Homelessness Act 2002 Part II and the Homeless Reduction Act 2017. The Housing Authority had a duty to carry out an assessment in all cases where an eligible applicant was homeless or threatened with homelessness. He highlighted the duty of the Housing Authority and the need for the provision of suitable accommodation for homeless applicants.

Discussion took place regarding the current situation and that homelessness issues were getting worse and that a budget was available to help people before they became homeless.

RESOLVED that the recommendation of the Policy Development Group be approved.

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

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

142. **DRAFT 2019/20 HOUSING REVENUE ACCOUNT (HRA) BUDGET (00-43-05)**

Arising from a * report from the Deputy Chief Executive (S151) and Director of Operations considering the options available in order for the Council to set a balanced budget for 2019/20 and agree a future strategy for further budgetary planning for 2020/2021 onwards; the Homes Policy Development Group had made the following recommendations: that the proposed HRA budget for 2019/20 be approved subject to garage rents being frozen for 2019/20 and that from 2020/2021 onwards garage rents be increased by the Consumer Prices Index plus 1%.

The Cabinet Member for Finance outlined the contents of the report stating that the Housing Revenue Account was well managed and he highlighted the 1% rent decrease proposed by central Government in 2015 each year until 2019/20. It was proposed that rents be increased in 2010/21 by CPI plus 1% which confirmed with the previous rent policy. He stated that it was proposed to freeze garage rents for 2019/20. He explained the Right to Buy system and the impact of this on the HRA.

Consideration was given to the impact of the Right to Buy scheme.

RESOLVED that the recommendation of the Policy Development Group be approved.

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

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

143. **UNAUTHORISED ENCAMPMENT PROCEDURE FOR MANAGING OR ENFORCING UNAUTHORISED ENCAMPMENTS (00-47-40)**

Arising from a * report of the Deputy Chief Executive (S151) the Community Policy Development Group had recommended that Cabinet and then Council adopt the Unauthorised Encampment Policy subject to a further review by the legal department, following the review it was agreed that consultation take place on the proposed policy.

The Cabinet Member for Housing outlined the contents of the report stating that at the present time, the authority did not have a policy in place for responding to and enforcing on unauthorised encampments on land owned by the District Council. He explained the consultation process that had taken place with the town and parish councils and the county council. The policy set out guidance explaining how the authority would deal with unauthorised encampments on its land; the policy was deemed to be firm but fair.

Consideration was given to the consultation process and that this was seen as positive engagement, also that a flowchart had been produced which would allow for quick reference.

RECOMMENDED to Council that: the proposed corporate policy and procedure for managing and enforcing unauthorised encampments as detailed in Annex A be adopted and implemented.

(Proposed by Cllr R L Stanley and seconded by Cllr R J Chesterton)

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

144. **FINANCIAL MONITORING (00-52-55)**

The Cabinet had before it and **NOTED** a * report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure to date.

The Cabinet Member for Finance outlined the contents of the report stating that the proposed deficit for the current year had now been reduced to £65k, largely as a result of the Business Rates Retention Scheme and savings made within Revenues and Benefits; the under recovery of income within the Planning Service was still an issue. The HRA was forecasted to have an underspend of £58k and there was some slippage within the Capital Programme.

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

145. **NATIONAL NON-DOMESTIC RATES (00-54-40)**

The Cabinet had before it a * report of the Deputy Chief Executive (S151) providing Members with an update on the income generation and financial implications of the

number of Business Rate properties in Mid Devon and requesting it to approve the NNDR1 (estimated income to be generated in 2018/19 from business rates).

The Cabinet Member for Finance outlined the contents of the report explaining that the annual report highlighted the forecasted annual amount of revenue that was expected to be generated from Business Rates and how that money would be distributed. The net collectable debit was then split proportionally in accordance with the provisions of the Local Government Finance Settlement issued in December 2018 which enabled the whole of Devon to have 50% rates retention, subject to tariffs and levies. He explained the pilot scheme that had taken place to retain 100% of Business Rates growth income which had been for one year only and that the authority had been unsuccessful in a bid for a 75% pilot in 2019/20, the authority therefore had to revert to the 2017/18 distribution system.

Consideration was given to the Business Rates Revaluation Relief Scheme and how that had been managed and the proposal to better manage it in the future.

RECOMMENDED to Council that:

- a) The calculation of the NNDR1 net yield of £5.500m from 3079 Business Rated properties be noted and approved for 2019/20;
- b) The proportions distributed to the respective authorities and central Government be allocated as per the statutory regulations; and
- c) Members note and approve that Central Government will reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing reliefs.

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

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

146. **BUDGET (00-59-23)**

The Cabinet had before it a * report of the Deputy Chief Executive (S151) providing the proposals for the General Fund and the Housing Revenue Account for the year 2019/20.

The Cabinet Member for Finance informed the meeting that there had been 18 occasions in which members had involvement in the budget setting for 2019/20, following discussions at PDG meetings and members briefings. He outlined the headlines of the report with regard to the proposed increase in Council Tax, the temporary transfer of £253k from the New Homes Bonus, the position of the HRA and the proposals within the Capital Programme

Consideration was given to:

- The legislation requirement for a 1% decrease in social housing rents, the freeze on garage rents and the increase in garage plot ground rents
- The impact of Universal Credit

- The Local Government Pension Scheme.

RECOMMENDED to Council that:

- a) Council Tax is increased by 2.996% (£5.93) to £203.84.
- b) The General Fund budget for 2019/20 is approved.
- c) The 2019/20 budget requires no transfer from the General Fund Balance.
- d) The General Fund Budget requires a temporary transfer of £253k from New Homes Bonus EMR.
- e) The HRA budget for 2019/20 be approved as outlined in Appendix 5.
- f) HRA fees/charges are approved based on the attached schedule shown as Appendix 5a and 5b.
- g) Work on strategic planning for delivering balanced budgets in the future is commenced in the spring.
- h) The authority continues to maintain a 25% General Fund Balance of our net operational expenditure as referred to in para 5.1 of the report.

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

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

147. CAPITAL PROGRAMME 2019/20 - 2022/23 (1-05-14)

The Cabinet had before it a * report of the Deputy Chief Executive (S151) seeking approval of the 2019/20 Capital Programme and requesting that the draft 2020/21, 2021/22 & 2022/23 programmes be noted.

The Cabinet Member for Finance outlined the contents of the report explaining that the programme was mainly focused on essential asset maintenance, the funding of a range of private sector housing projects, ICT replacement and investments and ensuring that the existing housing stock was maintained to the decent homes standard.

RECOMMENDED to Council that:

- a) The detailed Capital Programme for 2019/20 be approved and the estimated amounts for 2020/21, 2021/22 & 2022/23 be noted.
- b) The earmarking of New Homes Bonus (NHB) monies of £613k to support the 2019/20 Capital Programme (see para 2.3) be agreed.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr C R Slade)

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

148. **TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY (1-06-16)**

The Cabinet had before it a *report of Deputy Chief Executive (S151) requesting that Council approve the proposed Treasury Management Strategy and Annual Investment Strategy for 2019/20.

The Cabinet Member for Finance outlined the contents of the report stating that the Council was required to set a balanced budget and due to the reduction in Government funding there was a need to look at other ways of creating income and that any investment and borrowing had to be prudent and sensible. The strategy set out how the authority's proposals for future financial matters.

RECOMMENDED to Council that:

- a) the proposed Treasury Management Strategy and Annual Investment Strategy for 2019/20 be approved.
- b) The prudential indicators for the next 3 years be approved.
- c) The Minimum Revenue Provision Statement (Appendix 1), be approved.
- d) Funds loaned to subsidiaries do not have to be constrained to capital purposes to be approved.
- e) The following options be approved:

Option 1 : Increase the investment terms to 2 years for banks to obtain higher interest rates and returns

Option 2; Diversify the investment portfolio to include non-UK banks with a minimum Sovereign Fitch rating of AAA which will potentially negate the effects of Brexit post 29 March 2019.

Option 3: Diversify the borrowing portfolio to include short term loans (maximum 5 years) from other Local Authorities, Banks and Building Societies

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr Mrs M E Squires)

Notes:

- i) Cllr C J Eginton declared a personal interest as he received a pension from Lloyds Banking Group;
- ii) *Report previously circulated, copy attached to minutes.

149. **CAPITAL STRATEGY (1-08-33)**

The Cabinet had before it a * report of the Deputy Chief Executive (S151) requesting agreement of the proposed Capital Strategy for 2019/20.

The Cabinet Member for Finance outlined the contents of the report stating that the new reporting procedures required by CIPFA which gave a high level overview of how capital expenditure, capital financing and treasury management actively

contributed to the provision of local public services along with an overview of how associated risk was managed and the implications for future financial sustainability.

Consideration was given to the prudential indicators for estimates of capital expenditure.

RECOMMENDED to Council that: the proposal Capital Strategy for 2019/20 be approved.

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

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

150. **POLICY FRAMEWORK (1-12-03)**

The Cabinet had before it a *report of the Chief Executive requesting it to endorse the Policy Framework for the year.

The Cabinet considered the policies and the review dates.

RECOMMENDED to Council that the Policy Framework be adopted.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

151. **ESTABLISHMENT (1-12-32)**

The Cabinet had before it a *report of the Group Manager for Human Resources outlining the overall structure of the Council showing the management and deployment of officers.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that a significant amount of positive change had been undertaken over the past 12 months and this continued to deliver a more effective and efficient service; changes to the Council's structure was still ongoing. She highlighted the total number of full time staff, the sickness absence statistics, the turnover of staff and reasons for leaving.

Consideration was given to:

- The breakdown of short term and long term sickness
- The support for stress and mental health issues
- How the statistics provided compared with other authorities nationally
- The annual turnover rate
- Ongoing staff surveys

RECOMMENDED to Council that the Establishment be approved.

(Proposed by Cllr Mrs M E Squires and seconded by Cllr C R Slade)

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

152. **PAY POLICY (1-20-00)**

The Cabinet had before a * report of the Group Manager for Human Resources which set out the legislative requirements of the Localism Act 2011 relating to senior pay, in particular the role of the Chief Executive, Directors and other senior officers.

The Chairman outlined the contents of the report explaining the pay multiple which was calculated by comparing all taxable earnings for the given year for the Chief Executive compared to mean earnings and the lowest paid in the organisation.

RECOMMENDED to Council that the Pay Policy 2019 be adopted.

(Proposed by the Chairman)

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

153. **TIVERTON REGENERATION SCHEME (1-22-20)**

The Cabinet had before a * report of the Group Manager for Corporate Property and Commercial Assets requesting the approval of a regeneration scheme for Tiverton town centre between Fore Street and the pannier market, to enable a tender process to commence.

The Cabinet Member for Housing outlined the contents of the report highlighting the previous schemes which had not come to fruition and the detail of the current scheme which would encourage footfall through to the Pannier Market and Market Walk and then onto Bampton Street to create a circular shopping route that would assist all traders in its path, this would be backed up by additional signage. A planning application had been submitted for the demolition of the ground floor retail shop at 34 Fore Street to create a widened pedestrian access to the Pannier Market, the construction of 3 flats and 3 units in plot 36. The layout and design of the proposal demonstrated that the site could accommodate the amount of retail and residential development. The widening of the pedestrian access adjacent to 34 Fore Street would improve pedestrian access and visibility of the Pannier Market from Fore Street and make a more welcoming approach.

Consideration was given to:

- The next step for the project, that of a tender process
- The desire to deliver the masterplan which would give confidence to the other main towns with regard to regeneration

RESOLVED to proceed with the tender process for this key regeneration project in the heart of Tiverton town centre, in line with the results of the stage one Tiverton Masterplan public consultation.

(Proposed by Cllr R L Stanley and seconded by Cllr R J Chesterton)

Notes:

- i) Cllr C J Eginton declared a personal interest as he had a shop in the town;
- ii) Cllr R L Stanley declared a personal interest as the project was within his portfolio as Cabinet Member;
- iii) * Report previously circulated, copy attached to minutes.

154. ICT STRATEGY (1-30-13)

The Cabinet had before a * report of the Group Manager for ICT and GMS Services providing an overview of the revised ICT Strategy and seeking approval of the strategy.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that the strategy provided a vision and ensured that the appropriate ICT infrastructure was in place to enable the Council to deliver services efficiently and effectively.

RESOLVED that the revised strategy be approved.

(Proposed by Cllr C R Slade and seconded by Cllr R J Chesterton)

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

155. PERFORMANCE AND RISK (1-31-25)

The Cabinet had before it and **NOTED** 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.

The Group Manager for Performance, Governance and Data Security outlined the contents of the report and took the Cabinet through each of the appendices.

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

156. NOTIFICATION OF KEY DECISIONS (1-32-25)

The Cabinet had before it, and **NOTED**, its rolling plan * for March 2019 containing future key decisions.

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

(The meeting ended at 3.50 pm)

CHAIRMAN