

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **CABINET** held on 19 December 2019 at 6.00 pm

### **Present**

#### **Councillors**

R M Deed (Leader)  
L D Taylor, G Barnell, S J Clist,  
D J Knowles, A White and Mrs N Woollatt

### **Also Present**

#### **Councillor(s)**

Mrs C P Daw, Mrs I Hill, F W Letch, B A Moore and  
R L Stanley

### **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), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Lisa Lewis (Group Manager for Business Transformation and Customer Engagement), John Bodley-Scott (Economic Development Team Leader) and Sally Gabriel (Member Services Manager)

## **93. APOLOGIES**

There were no apologies.

## **94. PUBLIC QUESTION TIME**

Felicity Salter asked the following questions with regard to item 9:

- Is the half hour free in some of the car parks going to be taken away
- Is there a reason the parking meters are out of order at the hospital car park and how much income have you lost since they have been out of order.
- Is the reason you have raised charges simply to increase revenue and if you need more money why not put 10p on the community charge.
- Is the reason you have put the charges up is to deter people from using their cars.
- Are you trying to kill our town
- Have you considered the emissions of cars driving around and around looking for places to park
- Has MDDC had time to consider all the objections before you make any decision

Jo Webber again referring to item 9 on the agenda asked:

- Do you realise what you are doing to our town we need customers and footfall to survive.
- When was the consultation and did it involve the local business owners.

Marilyn Clothier in relation to item 9 gave the views of her customers on the multi storey car park and that they would not be able to afford the increase. She asked:

- How much the revenue from the Premier Inn had influenced the decision
- Have the Council considered the fact that people will park in Tesco and residential streets
- Do Council workers get their parking for free

Honorary Alderman David Nation speaking with regard to item 7 asked:

- Do stakeholders include members of the public
- Will the Working Group meetings be open to the public
- Have you ascertained from existing authorities who have changed governance systems and how they work

Mrs Tucker again referring to item 7 asked:

- Can the Cabinet assure us that you will do everything possible to ensure that the scope of any review will not be blighted by irrelevant scare stories from the past?

#### 95. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-20-59)**

Cllr Mrs N Woollatt declared a personal interest as a supporter of the Campaign for Local Democracy for item 7 (Governance Arrangements) on the agenda.

#### 96. **MINUTES OF THE PREVIOUS MEETING (00-21-34)**

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

#### 97. **HOMELESSNESS STRATEGY (00-22-00)**

Arising from a report of the Group Manager for Housing, the Homes Policy Development Group had recommended that the revised Homelessness Strategy be approved.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the existing strategy originally covered the period from 2013 to 2018 and that a Cabinet Member decision had extended the policy until now. He highlighted the objectives within the strategy:

- Minimising rough sleeping
- Maximising prevention activities and outcomes
- Increasing accommodation options
- Improving health and wellbeing by supporting those with complex needs

Consideration was given to:

- The number of applicants presenting as homeless had increased by 25% rising from 455 in 2017/18 to 602 in 2018/19.
- The triggers of homelessness in Mid Devon
- The increase in numbers of approaches from those being evicted by social landlords
- The reports and data received by the Homes Policy Development Group
- The number of rough sleepers
- The use of S106 monies (for affordable housing) to offset the shortfall in accommodation.

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

(Proposed by the Chairman)

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

98. **STRATEGIC GRANTS ALLOCATION PROCESS FOR 2020-2023 (00-29-57)**

The Cabinet had before it a \*report of the Head of Planning, Economy and Regeneration requesting Members to agree the approach to community grant funding when the current 3 year agreements come to an end in 2020.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that given the financial constraints on Council spending at the current time, it seemed appropriate to have a complete review of strategic grant funding, but that there was insufficient time this year. There were currently 7 recipients of strategic grants:

- INVOLVE
- Citizens Advice
- Churches Housing Action Team
- Age UK
- Mid Devon Mobility
- The Museum and Tourist Information Service
- The Grand Western Canal

The report suggested that all these grants be brought together into a single strategic grants pot under the Community Well-Being PDG, prior to this all recipients would be offered a one year extension to their current grant.

Consideration was given to the importance of a 3 year settlement for the recipients so that financial planning could take place.

**RESOLVED** that:

1. Recipients of all grant agreements in place as part of the council's strategic grants programme are offered a single year extension (to end 31<sup>st</sup> March 2021) to ensure they have continuity of funding for their services
2. Recipients of the two grants not currently included within the council's strategic grants programme (Grand Western Canal and Tiverton Museum and Tourist Information Service) are also offered a single-year extension (to end 31<sup>st</sup> March 2021) to ensure they have continuity of funding for their services .
3. In future years all grants are considered as part of one budget and decision-making process, and that these sit within the Community Well-Being portfolio.
4. Officers are instructed to commence work early in the financial year 2020/21 to initiate a full evaluation and review of the grants programme; to carry out the same process as was undertaken previously to establish the 3-year programme; and to bring forward recommendations on a new 3-year programme with reference to the Community PDG as appropriate.

(Proposed by Cllr D J Knowles and seconded by Cllr G Barnell)

Notes:

- i) Cllrs D J Knowles and B A Moore declared personal interests due to their involvement with INVOLVE;
- ii) \*Report previously circulated, copy attached to minutes.

99. **GOVERNANCE REVIEW (00-34-00)**

The Cabinet had before it a \*report of the Group Manager for Legal Services and Monitoring Officer outlining the current governance arrangements and discussing the potential for a Governance Working Group to review arrangements and make recommendations.

The Leader outlined the contents of the report stating that a working group had been suggested to look at various different forms of governance.

Responding to the questions posed in public question time, the Leader and the Monitoring Officer stated that the Cabinet were taking a review of governance arrangements seriously, stakeholders would include members of the public, the terms of reference of the working group would set out who would be requested to attend the meetings and information would be gathered from various sources which would include the Local Government Association and other councils.

Consideration was given to:

- Option 1 within the report and that it was felt that this would be of benefit in the short-term to the current Cabinet
- A possible amendment to the recommendation to expand on the reasons for the formation of a working group

**RECOMMENDED** that:

The Standards Committee be asked to recommend to Council that the changes to the current arrangements set out in part 3 of this report be agreed and the Constitution amended accordingly and the Monitoring Officer be asked to draft the changes to the Constitution required to implement those changes for consideration by the Standards Committee.

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr G Barnell)

In consequence of the discussion, a revised recommendation was proposed expanding on the proposed purpose of the Working Group and the scope of the review

**RECOMMENDED** to Council that a politically-balanced Governance Working Group be established, such working group to:

- (a) comprise 12 members;
- (b) carry out a comprehensive review of Council governance arrangements in order to identify the different options available to bring together best practice and develop a model tailored to the needs and aspirations of Mid Devon's residents and stakeholders. Such review to include -
  - (i) exploring the views of members and other stakeholders;
  - (ii) taking advice where appropriate from experts in the field; and
  - (iii) identifying the cost and value for money implications;
- (c) Report its findings, options and recommendations to the Council (via the Standards Committee where major changes are proposed to the Constitution); and
- (d) ensure that such recommendations are made by no later than December 2020 with a view to any changes taking effect for the municipal year 2021/22

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr G Barnell)

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

100. **GAS SAFETY CONTRACT (00-44-36)**

The Cabinet had before it a \*report of the Director of Operations seeking authority to exercise the option in the 4+1+1 year contract for the inspection and maintenance of gas appliances across the Housing Revenue Account stock.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the report sought an extension to the current contract for the HRA stock and that a new tender process would be undertaken in 2020 to ensure continuance of service from April 2021.

Consideration was given to:

- Whether the provider was meeting the expectations of the authority
- The fact that the authority was happy with the standard of service

**RESOLVED** that the option to extend the existing contact for a further year from 1 April 2020 to 31 March 2021 be approved.

(Proposed by Cllr S J Clist and seconded by Cllr A White)

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

#### 101. **OFF STREET PARKING PLACES ORDER (00-50-27)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) providing Members with an update on the progress of the Off- Street Parking Places Order (“OSPPO”).

The Deputy Chief Executive (S151) outlined the contents of the report and responded to questions posed in public question time:

- Changing the car parking policy was always a challenge as there was a need to strike a balance with regard to value for money and to secure revenue for maintenance purposes. Consideration of increasing charges had been taken seriously, the issue had been discussed at the Car Parking Working Group and further considered by the Economy Policy Development Group before being presented to the Cabinet.
- The free half hour was still available in the evening but had been removed during the day time, it had been noted that the traders preferred people to stay longer in the town and the recommendation had been that the 1 hour tariff be reduced to £1.25.
- The hospital car park was administered by the hospital not by the Local Authority.
- The car parks cost a lot of money to maintain especially the multi storey car park, a report had been considered by the Cabinet in August where an £800k maintenance and enhancement project had been approved and any increase would be used for that project.
- Putting 10p on the Council Tax was not an easy option, local authorities could only increase Council Tax by 2%.
- The decision to increase charges was not a decision to reduce congestion, there was a reliance on the car in Mid Devon as other transport provision in the area was considered to be poor.
- The main reason for the increase was to maintain the assets of the council, the purchase of a permit would reduce costs for the user
- With regard to killing the town, there was a need to set a balance. He explained the strategic investment in Market Walk and that the shops were nearly all filled, the Council did not want a reduction in footfall.
- The Premier Inn had influenced the decision.
- There was still a long stay tariff available for people who made bus trips
- Council Officers did currently have free parking
- The consultation process had ended and that he would be looking at the responses

Consideration was given to:

- A request that the Cabinet Members consider the responses from the consultation process
- The need to advertise the use of permits more and the availability of payment instalments, details of which were on the website.

**RESOLVED** that: as the consultation deadline was 18th December and Cabinet wished to have sight of this feedback, that this report be amended to return to the next meeting with the inclusion of information relating to the consideration of objections and representations received during that consultation.

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr G Barnell)

Notes:

- \*Report previously circulated, copy attached to minutes;
- Cllr L D Taylor left the meeting at this point.

**102. REPLACEMENT ROOFING CONTRACT 2020- 2023 (1-08-28)**

The Cabinet had before it a \*report of the Director of Operations advising Members on the results for the tendering of the Replacement Roofing Programme 2020 – 2023 to Council houses and requesting it to confirm the award of the contract.

The Cabinet Member for Housing and Property Services outlined the contents of the report explaining the procurement exercise and that the capital investment into the stock would result in a lower revenue cost in the coming years and would lower the amount of fossil fuels used to run and maintain the homes.

Consideration was given to the range of prices.

**RESOLVED** that the new three-year Roofing Replacement Contract be awarded to Contractor 4 with a forecast annual cost £600,000.00.

(Proposed by Cllr S J Clist and seconded by Cllr G Barnell)

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

**103. CARBON BASE-LINE REPORT (1-14-22)**

The Cabinet had before it a \* report of the Group Manager for Corporate Property and Commercial Assets providing Members with the results of the Carbon Footprint exercise for the Council's operational activities and to provide an overview of areas that it could control and guide, which would assist the Council to become carbon neutral by 2030.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the Council had declared a Climate Emergency in the summers and that as part of that commitment it had agreed to produce a carbon footprint baseline. The report outlined the results of the carbon baseline work and gave

options to reduce the footprint, he added that this was just the start of the work that would take place.

Consideration was given to:

- Whether the fuel use of elected members could be added to table 1
- The use of reserves for funding, with the Deputy Chief Executive (S151) explaining the use of ear marked reserves for certain projects
- Liaison with town and parish councils with regard to informing local residents and local groups
- The details within annex C of the report
- The need to encourage the use of teleconferencing

**RESOLVED** that Carbon Emissions Baseline figure be noted.

(Proposed by the Chairman)

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

104. **TIVERTON TOWN CENTRE REGENERATION PROJECT - TENDER OUTCOME - DEFERRED FROM A PREVIOUS MEETING. (1-26-33)**

The Cabinet had before it a \* report of the Group Manager for Corporate Property and Commercial Assets/Deputy Chief Executive (S151) deferred from a previous meeting requesting the Cabinet to review the results of the Tiverton Town Regeneration tender.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report explaining the history of the project, the initial consultation process for the Tiverton Town Centre Masterplan and the decisions that had been taken to start the project within the town centre prior to the completion of the masterplanning exercise. He explained the planning permission that had been granted and the recent discussions with Tiverton Town Council who had felt that their representations had not been considered and that there was a need to delay the proposed works for consideration of the final masterplan. He wanted to initiate a Town Centre Regeneration Fund to form the basis for matched funding offers to regenerate the town.

Consideration was given to:

- The views of some of the Tiverton Town Councillors who had differing views of the proposals for the town centre
- The views of the traders in the market
- The various schemes that had come forward over recent years
- Whether match funding could be found
- The consultation that had or had not taken place with Tiverton Town Council and the Town Council's disapproval of the current scheme
- Whether a gold star scheme could be afforded
- The money that would be lost if the scheme stalled

**RESOLVED** that:

1. The specific scheme that came forward in advance of the forthcoming Tiverton Town Centre Masterplan be postponed, and allows the second stage of the process to be properly completed before seeking to prioritise strategic investment opportunities.
2. The Cabinet Members for Planning & Economic Regeneration and Housing and Property Services:
  - a) Consider how a Tiverton Town Centre Regeneration Fund might be established to facilitate match-funding opportunities and encourage external investment into the town, with proposals to be brought back to the Cabinet.
  - b) Work with Tiverton Town Council, market traders, the Town Centre Partnership and other businesses in the town to identify a programme of works that will make a significant improvement to the Town Centre in the short term.

(Proposed by the Chairman)

Notes:

- i) Cllr R L Stanley declared a personal interest as the previous Cabinet Member for Housing and Property Services and a Director of 3 Rivers Development Limited;
- ii) Cllr Mrs N Woollatt requested that her abstention from voting be recorded;
- iii) \*Report previously circulated, copy attached to minutes.

## 105. **PERFORMANCE AND RISK (1-54-26)**

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 making reference to the Homeless statistics discussed within the earlier item, she informed the meeting that the Homes Policy Development Group had received statistics but that she would look into what measures could be considered within the performance and risk report.

Consideration was given to:

- The number of empty shops in the towns
- Sickness absence figures which were fully considered by the Leadership Team and the Health and Safety Committee
- The new sickness policy
- IDOX record handling

- The Officer Programme Board monitoring 3 Rivers Development Limited; the fact that the Cabinet received half yearly reports as the shareholder but did not sit on the programming board

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

#### 106. **FINANCIAL MONITORING (2-08-10)**

The Deputy Chief Executive (S151) provided the meeting with a verbal update on financial monitoring to date stating that the September variance on budget had been a surplus of £29k, this had changed in October to a deficit of £95k the main factors being:

- **Leisure** – There had been a reduction in vacant posts by £19k and also a reduction in casual swimming (£17k) which was in-keeping with a national trend.
- **Revenues and Benefits** – Housing Benefit Recovery forecasts had dropped by £20k and the recovery of court costs had also dropped by £4k. There was also a slightly lower single occupancy discount penalty forecast by £3k.
- **Property Services** – There had been a rate revaluation at Carlu Close which had added £56k of cost to the forecast.

With regard to the Housing Revenue Fund there had been no material changes from the last month's monitoring; the underspend primarily related to vacant posts and underspends on new projects.

It was hoped that the Government's financial settlement would be received in early to mid January.

#### 107. **SCHEDULE OF MEETINGS (2-12-53)**

The Cabinet had before it \* a schedule of meetings for the municipal year 2020/21.

**RECOMMENDED** to Council that the Schedule of Meetings for the 2020/21 municipal year be approved.

(Proposed by the Chairman)

Note: \*Schedule previous circulated, copy attached to minutes

#### 108. **NOTIFICATION OF KEY DECISIONS (2-14-00)**

The Cabinet had before it and **NOTED** its rolling plan \* for January 2020 containing future key decisions.

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

#### 109. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (2-14-49)**

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)

#### 110. **POTENTIAL DISPOSAL OF LAND AT OLD ROAD, TIVERTON**

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 and Property Services outlined the contents of the report and a full discussion took place.

Returning to open session, the Cabinet:

**RESOLVED** that the procedure set out in Section 122(2A) of the Local Government Act 1972 be followed, namely by placing public notices in newspapers for 2 consecutive weeks and the consideration of any objections that are then made.

(Proposed by the Chairman)

Notes: \*Report previously circulated.

(The meeting ended at 8.25 pm)

**CHAIRMAN**