

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 7 May 2020 at 6.00 pm

Present

Councillors

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

Also Present

Councillor(s)

Mrs C P Daw, R J Dolley, Mrs I Hill, F W Letch,
Miss J Norton, B G J Warren and A Wyer

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Corporate Affairs and Business Transformation), Maria De Leiburne (Solicitor), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Ian Chilver (Group Manager for Financial Services), Stephen Bennett (Building Surveyor), Christopher Davey (Procurement Manager), Mike Lowman (Repairs and Adaptations Supervisor) and Sally Gabriel (Member Services Manager)

172. APOLOGIES

There were no apologies for absence.

173. REMOTE MEETINGS PROTOCOL

The protocol for remote meetings was noted.

174. PUBLIC QUESTION TIME (00-00-08)

There were no questions from members of the public present.

175. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-00-23)

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

176. MINUTES OF THE PREVIOUS MEETING (00-00-43)

The minutes of the previous meeting were approved as a correct record.

177. CONSIDERATION OF ANY RECOMMENDATIONS FROM THE SCRUTINY COMMITTEE (00-02-00)

There were no recommendations from the Scrutiny Committee.

178. CORPORATE ASBESTOS POLICY (00-02-15)

The Cabinet had before it a * report of the Group Manager for Property and Commercial Assets providing an updated policy on asbestos management.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the revised policy referred to the Council's arrangements for managing the risks of exposure to asbestos by employees and non-employees within its activities for the corporate portfolio and the housing stock. The two previous separate policies had been amalgamated under this one revised policy. He also referred to the Health and Safety at Work Act 1974 and subsequent Acts.

RESOLVED that the updated Asbestos policy and procedures for the Corporate Property and Housing Stock (only common areas of domestic properties would be covered under this legislation) be approved.

(Proposed by Cllr S J Clist and seconded by Cllr D J Knowles)

Note *Report previously circulated, copy attached to minutes.

179. MANAGEMENT OF LEGIONELLA POLICY (00-06-15)

The Cabinet had before it a * report of the Group Manager for Property and Commercial Assets providing an update on the procedures for ensuring compliance with managing the risk of Legionella

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the revised document sought to update procedures to ensure compliance under the Health and Safety Act. Remedial works for Legionella had been budgeted for in the General Fund for both corporate assets and the housing stock and that the policy supported the overarching Health and Safety Policy. The Corporate Property and Commercial Policy set out within the agenda pack meets the duty of care required and sets out how the Council will as far as is reasonable and practical take appropriate precautions to reduce the risk of ill health caused by exposure to Legionella.

Consideration was given to:

- The mechanism for routine checks in Council owned properties and the work undertaken by the Public Health Team with regard to sampling
- The routine inspections that took place in the Council owned Leisure Centres and the processes that would take place following the current period of lockdown

RESOLVED that the updated policy for the management of Legionella for both corporate and housing assets be adopted.

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

Note *Report previously circulated, copy attached to minutes.

180. NOTIFICATION OF KEY DECISIONS (00-13-00)

The Cabinet had before it and **NOTED** its *rolling plan for May/June 2020 containing future key decisions.

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

181. ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (00-16-15)

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)

182. PAINTING AND REPAIRS BEFORE PAINTING OF COUNCIL HOUSES 2020-2025

The Cabinet had before it an updated *report in relation to the painting and repairs before painting of council houses contract following the decision made on 13 February 2020.

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 delegated authority be given to the Director of Corporate Affairs and Business Transformation, in consultation with the Cabinet Member for Housing and Property Services to make the following decisions:

- (a) whether to continue with the contract award from the current procurement process; and
- (b) if the current procurement process is abandoned,
 - (i) how best to proceed with letting a contract for the provision of the services in 2020/21 and the longer term; and

- (ii) to let and/or make any contractual arrangements for 2020/21 as appropriate and necessary.

(Proposed by Cllr S J Clist and seconded by Cllr D J Knowles)

Note: *Report previously circulated.

(The meeting ended at 6.34 pm)

CHAIRMAN