

## **WRITTEN QUESTIONS – FULL COUNCIL – 29 APRIL 2015**

### **1. MOTION NUMBER 514**

#### **Question submitted by Councillor Mrs J Roach and response of the Chairman of the Decent and Affordable Homes Policy Development Group**

Have any investigations taken place to establish whether it would be possible to apply to the Secretary of State for such a transfer?

#### **RESPONSE**

No investigations have been carried out, the PDG were supportive of investigating the idea but officer resources would not be expended until the principle had been agreed. If the motion is supported by council, officers will then review the legislative provisions for the transfer and delegation of functions, their relevance to the establishment of an Abundant Life scheme and the implications of establishing such a scheme generally.

### **2. MOTION NUMBER 516**

#### **Question submitted by Councillor Mrs J Roach and response of the Chairman of the Decent and Affordable Homes Policy Development Group**

In the view of the MDDC Officer responsible for the implementation of the Localism Act is such an asset transfer a possibility? Alternatively, has advice been sought as to whether such a transfer is possible?

#### **RESPONSE**

I am advised by the Chief Executive that the motion as discussed uses the term to 'acquire' rather than to achieve an asset transfer. As such officers would seek to approach Devon County Council regarding an acquisition which would be based on the full market value for these properties as and when they are declared redundant by Devon County Council.

The Localism Act does not provide a mechanism for this council to achieve an asset transfer in the view of the Chief Executive.

### **3. SCRUTINY COMMITTEE – MINUTE 175**

#### **Question submitted by Councillor Mrs J Roach and response of the Chairman the Scrutiny Committee**

There is a problem re minute 175 of the Scrutiny committee.

Two votes were taken, the first was on the principle of the recommendation, this was passed (I think) unanimously. The second vote was on whether to refer the matter to Cabinet or Council. It was this vote that was carried on my casting vote.

Is this minute correct?

#### **RESPONSE**

Minute 175 is correct in recording the final outcome of the discussion on this issue, a vote of 5 to 4 with the chairman's casting vote.

What is not sufficiently highlighted is that it was the unanimous view of the Scrutiny Committee to express disappointment at the report of the Planning Policy Working Group not being received. The vote recorded at Minute 175 reflects the difference of opinion on whether to recommend the decision to council rather than the cabinet.