

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 2 July 2015 at 2.15 pm

Present

Councillors

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

Also Present

Officer(s):

Kevin Finan (Chief Executive), Andrew Jarrett (Head of Finance), Jenny Clifford (Head of Planning and Regeneration), Stuart Noyce (Waste and Transport Manager) and Sally Gabriel (Principal Member Services Officer)

15. APOLOGIES

There were no apologies received.

16. PUBLIC QUESTION TIME

There were no members of the public present.

17. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of 4 June were approved as a correct record and **SIGNED** by the Chairman.

18. NEW COLLECTION SCHEME FOR WASTE AND RECYCLING SERVICE (00-01-43)

Arising from a *report of the Waste and Transport Manager and a recommendation from the Managing the Environment Policy Development Group, the PDG had recommended that:

- (i) The annual charge for fortnightly collections of Garden Waste from a 240L bin be set at £47.00.
- (ii). The annual charge for fortnightly collections of Garden Waste from a 140L bin be set at £35.00.
- (iii) The charge for sacks be set at £13.00 for a roll of 10.
- (iv) Subject to the change of wording from 'purchase' to 'subscribe' in 3.4, and clarification regarding where sacks could be purchased, the Terms and Conditions set out in Appendix B be adopted

The Cabinet Member for the Environment welcomed Stuart Noyce (Waste and Transport Manager) to the meeting and outlined the contents of the report stating that the most significant changes to the scheme at this stage were that of the introduction of a scheme to recycle all plastics and for the separate collection of cardboard; encouraging rates of recycling were being realised.

Discussion followed with regard to:

- The reuse of the brown bins following the introduction of the second phase of the scheme in the autumn
- Encouraging recycling and the introduction of a Waste Enforcement Officer
- Recent negative coverage of the scheme in the local newspaper
- The phased roll out of the scheme across the district, with 29,000 boxes already delivered over a 4 week period
- The small percentage of phone enquiries regarding the scheme
- Advertising for the second phase of the scheme
- Dual refuse collection vehicles
- The estimated take up of the garden waste scheme
- Possible savings to be made by Devon County Council following the introduction of the scheme.

Members recorded their appreciation to Mr Noyce and his team with regard to all the work that had gone into the introduction of the new scheme.

RESOLVED that the recommendation be approved.

(Proposed by the Chairman)

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

19. **HOUSING ANTI-SOCIAL BEHAVIOUR POLICY (00-32-48)**

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the revised Housing Service Anti-Social Behaviour policy and procedures be approved.

The Cabinet Member for Housing outlined the contents of the report highlighting the revised policy and stating that the Council was required to work in partnership with other agencies to prevent and tackle anti-social behaviour in neighbourhoods where homes were provided. To abide by the legislation the Council were required to update its policy. The PDG had discussed the matter in full and therefore it was:

RESOLVED that the recommendation of the Decent and Affordable Homes Policy Development Group be approved.

(Proposed by the Chairman)

Note: *Report previously circulated copy attached to minutes.

20. **HOUSING SERVICE HARASSMENT POLICY (00-34-34)**

Arising from a report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the adoption of the new Harassment Policy be recommended to Council.

The Cabinet Member for Housing stated that the Housing Service were required to have policy and procedural commitments relating to the prevention and management of racial and other harassment and that this policy had been drafted to complement the revised Anti-Social Behaviour policy and procedures.

Discussion followed with regard to the health and safety of officers and incidents that had taken place.

RECOMMENDED to Council that the Harassment Policy be approved subject to the insertion of an additional paragraph at 16.2 to state that: "Tenants, their households or visitors must not harass, intimidate, verbally abuse, physically abuse, use violence or threaten to use violence towards our staff, contractors or agents, in accordance with the terms of the Council's standard tenancy agreements. We have robust procedures in place to maintain the health and safety of our officers and we will notify the Police, as appropriate, and if the victim wishes, if we feel that any of our staff are being affected by harassment or hate crime arising from their work".

(Proposed by Chairman)

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

21. **HOUSING SERVICE DOMESTIC ABUSE POLICY (00-38-02)**

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the adoption of the Housing Service Domestic Abuse Policy be recommended to Council.

The Cabinet Member for Housing outlined the contents of the report stating that the new policy contained a section setting out a number of definitions. It also contained examples of each type of behaviour; for example, physical abuse was defined as slapping, pushing, kicking, punching and stabbing, or other physical assault. This would provide guidance for officers and clarity for service users.

RECOMMENDED to Council that the Housing Service Domestic Abuse Policy be approved.

(Proposed by the Chairman)

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

22. HOUSING SERVICE HOARDING POLICY (00-39-30)

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the adoption of the Housing Service Hoarding Policy be recommended to Council.

The Cabinet Member for Housing outlined the contents of the report stating that the Council was committed to improving the Housing Service; the implementation of a new Hoarding Policy would provide guidance for officers to follow when responding to issues that arose when properties were cluttered or were being used to hoard large amounts of possessions including animals.

It was good practice to put in place preventative measures to reduce health and safety risks to the tenant and others as well to reduce neglect and wilful damage to the property.

Consideration was given to the types of hoarding ranging from rubbish to the number of dogs kept in a property.

RECOMMENDED to Council that the Housing Service Hoarding Policy be approved.

(Proposed by Chairman)

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

23. HOUSING SERVICES PETS AND ANIMALS POLICY (00-41-17)

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the revised policy be adopted.

The Cabinet Member for Housing outlined the contents of the report stating that the reviewed policy had been updated to reflect changes in good practice and future legislation changes in pet and animal ownership. The policy gave greater clarity on responsible pet and animal ownership taking into account good practice identified by the RSPCA.

Consideration was given to paragraph 7.2 of the policy and the number of pets per household that was felt to be acceptable.

RESOLVED that the recommendation of the Decent and Affordable Homes Policy Development Group be approved.

(Proposed by Chairman)

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

24. **COMPENSATION POLICY (00-43-58)**

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the adoption of the Compensation Policy be recommended to Council.

The Cabinet Member for Housing outlined the contents of the report stating that there may be occasions when service standards were not being met and as such it may be necessary to compensate a tenant for loss or inconvenience. In those cases it was recognised that the tenant may have a statutory right to compensation. It was essential that a policy was put in place to ensure that all claims for compensation were dealt with in a fair and consistent manner, within published timescales and parameters.

RECOMMENDED to Council that the Compensation Policy be approved.

(Proposed by the Chairman)

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

25. **TENANT INVOLVEMENT POLICY (00-45-46)**

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the revised policy be adopted.

The Cabinet Member for Housing outlined the contents of the report stating that he acknowledged that not all of our tenants would want to get involved. All tenants were consulted on their views in relation to tenant involvement. The results demonstrated a high level of apathy. Over 3000 households were sent a questionnaire survey but only 122 responses were received either by post or online. 29 tenants were invited to attend a focus group to give us their views, but, unfortunately, this was not very well attended, with only 3 attending.

Consideration was given to the lack of involvement by tenants and that this was seen in a positive light in that tenants were happy with the support they were receiving.

RESOLVED that the recommendation of the Decent and Affordable Homes Policy Development Group be approved.

(Proposed by Chairman)

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

26. **TENANT INVOLVEMENT STRATEGY (00-45-46)**

Arising from a *report of the Head of Housing and Property Services and a recommendation from the Decent and Affordable Homes Policy Development Group, the PDG had recommended that the revised policy be adopted.

The Cabinet Member for Housing outlined the contents of the report and it was proposed that the strategy be approved in line with the policy.

RESOLVED that the recommendation of the Decent and Affordable Homes Policy Development Group be approved.

(Proposed by Chairman)

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

27. PLANNING POLICY PROCEDURE REPORT (00-49-49)

The Cabinet had before it a * report of the Forward Planning Team Leader reviewing the procedures for formatting and adopting planning policy and planning policy documents to reflect work streams previously omitted when planning policy procedures were previously considered by Council in 2012.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that when the reporting processes for planning policy had been amended in 2012, the issue of conservation areas had been omitted, the intention of the report was to clarify the process.

Consideration was given to holding meetings in specific towns for local items.

RECOMMENDED to Council that:

- a) The Council approve the changed procedure for dealing with Planning Policy as set out below.
- b) Following adoption the necessary changes are made to the Constitution.
- c) The Scheme of Delegation to the Head of Planning and Regeneration be amended accordingly.

Type of Policy	Advisory Group	Cabinet	Council for approval of submission document or adoption	Requires separate meeting of Cabinet in each of the main three towns
Introduction of New Conservation Areas	Yes	Yes	Yes	No
Conservation Area Appraisals (Changes to Conservation Area Boundaries Proposed)	Yes	Yes	No	No
Conservation Area Appraisals (Technical assessments with no boundary changes proposed)	Yes	Delegated approval by the Head of Planning in consultation with the Local Ward Member(s) & Cabinet Member (P&R).		No
Article 4 Directions	Yes	Yes	Yes	No
Neighbourhood Plans	Yes	Yes	Yes	No

Neighbourhood Plan Area Designations	If approved and the proposed areas adhere to parish boundaries then decisions made by the Head of Planning in consultation with the Cabinet Member (P&R). If not approved, or does not follow Parish Boundaries, then decision referred to Cabinet.	No
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(Proposed by the Chairman)

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

28. **PERFORMANCE AND RISK (00-52-48)**

The Cabinet had before it and **NOTED** a * report of the Head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for 2014/15 as well as providing an update on the key business risks.

The Cabinet Members identified issues within their portfolios:

- Waste - the service was going through changes which would increase levels of recycling.
- Housing – performance was excellent even though it was just outside of the targets. Rent arrears and rent collection were also highlighted as excellent.
- Community Well-Being – the percentage of food premises inspected was highlighted, this matter had been discussed at the Audit Committee and issues were being addressed.
 - Leisure Members retained month on month, the negative figure was minimal and work was taking place to increase income.
- Planning – issues within the Building Control Service were highlighted, a review of service delivery had been undertaken by the North Devon Council Building Control Manager and discussions were taking place with North Devon with regard to closer working.
 - Enforcement issues and the possibility of measuring outcomes was discussed, it was reported that 2 new enforcement officers had joined the team.
- Working Environment – issues had been highlighted by the Audit Committee with regard to working days lost due to sickness. A table with reasons was distributed for information.
- Finance – excellent results were highlighted.

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

29. **NOTIFICATION OF KEY DECISIONS (1-14-01)**

The Cabinet had before it and **NOTED**, its * rolling plan for July/August 2015 containing future key decisions.

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

(The meeting ended at 3.30 pm)

CHAIRMAN