

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **CABINET** held on 27 August 2015 at 2.15 pm

### **Present**

#### **Councillors**

C J Eginton (Leader)  
R J Chesterton, N V Davey, C R Slade,  
Mrs M E Squires and R L Stanley

### **Apologies**

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

P H D Hare-Scott

### **Also Present**

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

R M Deed, Mrs J Roach and F J Rosamond

### **Also Present**

#### **Officer(s):**

Kevin Finan (Chief Executive), Rob Fish (Principal Accountant) and Sally Gabriel (Member Services Manager)

## **52. APOLOGIES**

Apologies were received from Cllr P H D Hare-Scott.

## **53. PUBLIC QUESTION TIME**

Mr Roberts referring to Item 7 (Tiverton Town Centre Development) on the agenda raised concerns regarding a Premier Inn in Tiverton and asked the following questions:

- a) Where does the Council propose that 17,800 new guests are going to come from?
- b) Will current local accommodation providers have the opportunity to contribute to the development of the business case to ensure an accurate and real time reflection of local supply and demand is factored into any future decision on a commercial deal with Premier Inns?
- c) Although not opposed to competition, if the supply is increased, the Council is in the process of allocating sites within the Local Plan, we do have an opportunity to create a large tourism development at J27, if we are serious about building a resilient local economy which can support new hotels and new businesses and wish to see the town regenerated and rejuvenated, will the council allocate the large tourism development at J27?

The Chairman indicated that the questions would be answered during discussions on the item.

## **54. MINUTES OF THE PREVIOUS MEETING**

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

55. **REVIEW OF THE TENANCY POLICY (00-07-00)**

Arising from a report of the Head of Housing and Property Services, the Decent and Affordable Homes Policy Development Group had recommended that the revised Tenancy Policy be approved.

The Cabinet Member for Housing stated that the revised policy indicated how houses were allocated to tenants: introductory tenancies followed by flexible tenancies, how problems with tenants were dealt with, the needs of tenants and the review of people's circumstances. The review of the policy reflected changes in good practice and allowed any legislative changes to be updated accordingly.

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

(Proposed by Cllr R L Stanley and seconded by Cllr N V Davey)

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

56. **INCOME MANAGEMENT POLICY (00-10-05)**

Arising from a report of the Head of Housing and Property Services, the Decent and Affordable Homes Policy Development Group had recommended that the revised Income Management Policy be approved.

The Cabinet Member for Housing explained that the policy had been revised to take into account the different income streams that the housing service collects. He reported that the Government had proposed a 1% cut in Council rent per year over a 4 year period; this would have an impact on the amount of rent collected, which would have implications on maintenance, repairs and the development of new social housing. He also felt that the new Universal Credit scheme would have an impact on the tenants ability to pay rent and outlined the processes that took place with regard to the collection of arrears.

Discussion followed with regard to:

- Clear processes for rent collection and any arrears
- A possible legal challenge to the proposed legislation
- The implications of the proposed legislation on the Housing Revenue Account
- The recovery of current rent arrears.

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

(Proposed by Cllr N V Davey and seconded by Cllr C R Slade)

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

57. **DIGITAL TRANSFORMATION - RECOMMENDATION FROM THE SCRUTINY COMMITTEE (00-27-48)**

Arising from a briefing paper of the Head of Customer Services, the Scrutiny Committee had recommended that the means of contacting the authority be reviewed to avoid exclusion for those that could not use digital methods.

The Cabinet Member for Community Well-Being stated that the Council was continuing to be inclusive by providing services at Phoenix House, people could still come to the offices and use computers or talk to officers face to face and the call centre provided instruction and guidance over the phone; however the use of digital methods continued to be encouraged.

Consideration was given to:

- The concerns of the Scrutiny Committee
- Whether the Council were consulting with Age UK and the Citizens Advice Bureau
- Poor broadband in the rural areas
- Devon Home Choice bidding arrangements and the elderly or those without digital means.

It was therefore

**RESOLVED** that the concerns of the Scrutiny Committee be **NOTED** and that the Cabinet Member for Community Well-Being make contact with Age UK, the Citizens Advice Bureau and local Town and Parish Councils (via Parish Matters) to request their views with regard to the Council's digital transformation programme.

(Proposed by Cllr C R Slade and seconded by Cllr N V Davey)

58. **TIVERTON TOWN CENTRE DEVELOPMENT (00-34-03)**

The Cabinet had before it a \*report of the Head of Housing and Property Services updating Members on the current position in relation to the proposals for the regeneration of Tiverton town centre.

The Cabinet Member for Housing outlined the contents of the report highlighting the production of a masterplan and the possible improvements that could be made to the cinema, he explained the work that was taking place to maximise the Council's property portfolio including the occupancy details for Market Walk which he hoped would bring variety and increased footfall into the town and he explained other council initiatives and schemes that were being discussed.

Consideration was given to the proposal for a hotel in the town centre; the Head of Housing and Property Services answered the questions posed in public question time:

- a) 17800 new guests: the Premier Inn had supplied the figure within its business plan, the Council had not proposed that 17,800 guests would use the hotel; the Council were looking to regenerate Tiverton not to detract from other hotels in the vicinity.
- b) Business Case: the Council would not be providing a business plan for the establishment of a hotel, which would be for the Premier Inn to produce. The

proposal would require planning permission and he felt that local businesses and stakeholders would be consulted as part of the planning process.

- c) Junction 27: the Local Plan process was progressing and officers were considering representations from the latest public consultation. The Cabinet Member for Planning and Economic Regeneration stated that Westwood/Eden Project's proposal was not at the current time included in the Local Plan which had not yet been submitted. If following any new evidence officers recommended any changes to the approved plan then that would require a Council decision.

The Head of Housing and Property Services explained that discussion had taken place with Premier Inn and the agreements that would be required.

The Chairman suggested that a meeting be arranged with Mr Roberts to address his concerns.

Discussion followed with regard to:

- The lack of information and details available to all Members of the Council
- The decision making process
- Lack of evidence base being presented to allow an informed decision to be made
- The involvement of the local Business Forum in plans for the regeneration of Tiverton
- The facilities available at the proposed hotel
- The business case
- The amount of car parking spaces to be lost and the impact of that on income
- Valuation of the site
- The involvement of local traders in discussions
- Justification for the recommendation in the report
- The need for a masterplan for the regeneration of the area
- Public consultation to include Tiverton Town Council
- How the proposed hotel would regenerate the town, increase footfall and revitalise current or encourage new restaurants
- The proposed development site of the hotel
- Concerns regarding regeneration of the market area and the need for a roof to cover all aspects of the area
- The proposed improvements to the town's war memorial
- The fact that the masterplan would go out to public consultation

**RESOLVED** that:

- a) the report be **NOTED**; and
- b) Delegated authority be given to the Head of Housing & Property Services, in consultation with the Cabinet Member for Housing and the Cabinet Member for Planning & Economic Development, to agree disposal to Premier Inn for 125 years of part of the multi-storey car park and ancillary land for the provision of a hotel.

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

## Notes

- i) Cllr N V Davey declared a personal interest as a Member of Tiverton Town Council;
- ii) \*Report previously circulated, copy attached to minutes;

### **Additional Note:**

**This decision has been called in by the Chairman of the Scrutiny Committee**

## 59. **FINANCIAL MONITORING (1-45-12)**

The Cabinet had before it and **NOTED** a \*report of the Head of Finance presenting financial monitoring information for the income and expenditure of the 2015/16 financial year.

The Principal Accountant outlined the predictions for the General Fund, the additional rent collection from the Market Walk investment, the major income flows, the Housing Revenue Account that was on budget, the commitments within the Capital Programme and the investments that had been made under treasury management.

The Cabinet Member for Planning and Economic Regeneration highlighted the areas that showed significant movement to date within his portfolio as did the Cabinet Member for the Environment.

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

## 60. **PERFORMANCE AND RISK (1-57-20)**

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.

Note: Report previously circulated, copy attached to minutes.

## 61. **NOTIFICATION OF KEY DECISIONS (1-59-45)**

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

Members were informed that the Gas Service Contract would be moved to February or March 2016.

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

## 62. **ACCESS TO INFORMATION ACT - EXCLUSION OF THE PRESS AND PUBLIC (2-01-27)**

Prior to considering Item 12 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 12 12.02(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 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)

63. **OUTCOME OF PROCUREMENT FOR ROOFING WORKS 2015/16**

The Cabinet had before it a \* report of the Head of Housing and Property Services providing information on the outcome of procurement for roofing works for 2015/16.

The Cabinet Member for Housing outlined the contents of the report highlighting the various tenders received, the consideration process that had taken place and the recommendation to award the contract to a specific company.

**RESOLVED** that the recommendation within the report be approved.

(Proposed by Cllr R L Stanley and seconded by Cllr N V Davey)

Note: Report previously circulated.

(The meeting ended at 4.20 pm)

**CHAIRMAN**