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Date:

Dear Councillor

SOUTH HAMS COUNCIL - THURSDAY, 14TH DECEMBER, 2017

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

| Agenda No | Item |
|------------------|-------------|
|------------------|-------------|

- | | |
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| k) | <u>Executive * - 7 December 2017</u> (Pages 1 - 10) |
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Yours sincerely

Darryl White
Senior Specialist – Democratic Services

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 7 DECEMBER 2017**

| | | | |
|--|------------------|---|--------------------|
| Members in attendance: | | | |
| * Denotes attendance | | | |
| ∅ Denotes apologies for absence | | | |
| ∅ | Cllr H D Bastone | * | Cllr R J Tucker |
| * | Cllr R D Gilbert | * | Cllr S A E Wright |
| * | Cllr N A Hopwood | * | Cllr K R H Wingate |

| Also in attendance and participating | | |
|---|---------|---|
| Item 2 | E.40/17 | Cllr Birch |
| Item 6 | E.43/17 | Cllrs Baldry and Green |
| Item 7 | E.44/17 | Cllrs Baldry, Birch, Green and Pearce |
| Item 8 | E.45/17 | Cllrs Brazil, Green, Hodgson, Holway and Pearce |
| Item 9 | E.46/17 | Cllrs Brazil, Holway and Rowe |
| Item 11 | E.48/17 | Cllrs Brazil and Hodgson |
| Item 13 | E.50/17 | Cllrs Baldry, Brazil, Green and Pearce |
| Item 14 | E.51/17 | Cllr Green |
| Item 15 | E.52/17 | Cllr Brazil |
| Item 16 | E.53/17 | Cllr Green and Pearce |
| Item 17 | E.54/17 | Cllr Green |
| Item 19 | E.56/17 | Cllrs Baldry, Birch and Green |
| Also in attendance and not participating | | |
| Cllrs Bramble, Brown, Cuthbert and Steer | | |

| Officers in attendance and participating | | |
|---|---------|--|
| All items | | Executive Director (Strategy & Commissioning), Executive Director (Service Delivery and Commercial Development) and Specialist – Democratic Services |
| Item 6 | E.43/17 | S151 Officer, CoP Lead Finance |
| Item 7 | E.44/17 | S151 Officer, CoP Lead Finance |
| Item 8 | E.45/17 | S151 Officer, CoP Lead Finance |
| Item 9 | E.46/17 | S151 Officer, CoP Lead Finance |
| Item 10 | E.47/17 | S151 Officer, CoP Lead Finance |
| Item 12 | E.49/17 | Group Manager Business Development |
| Item 13 | E.50/17 | Senior Specialist Place and Strategy |
| Item 14 | E.51/17 | Specialist (Revenues) |
| Item 15 | E.52/17 | CoP Lead ICT |
| Item 16 | E.53/17 | CoP Lead Environmental Health |
| Item 17 | E.54/17 | S151 Officer |
| Item 19 | E.56/17 | NB. The Executive Director (SD&CD) left the meeting for this item |

E.39/17 MINUTES

The minutes of the Executive meeting held on 19 October 2017 were confirmed as a true and correct record and signed off by the Chairman.

E.40/17 URGENT BUSINESS

The Chairman advised that he had agreed for one item of urgent business to be raised, being a report entitled: 'Ivybridge Neighbourhood Plan'. The report was deemed urgent by virtue of the Neighbourhood Development Plan Regulations stipulation that Local Planning Authorities must 'make' a plan within eight weeks of a successful referendum outcome.

The Lead Member for Customer First presented the report. A number of Members stated that Ivybridge should be congratulated on their achievement, and on the Plan itself which was a well presented, clear and concise document.

It was then:

RESOLVED

That adoption of the Ivybridge Neighbourhood Plan be approved.

E.41/17 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting and the following were made:

Cllr K R H Wingate declared a disclosable pecuniary interest in Item 13: Low Cost Self and Custom Build Initiative for Local People (Minute E.50/17 below refers) and he left the meeting for the duration of this item.

E.42/17 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.43/17 QUARTER 2 REVENUE BUDGET MONITORING 2017/2018

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2017/18, and provided a forecast for the year end position. The report also included a recommendation relating to the transfer of underspend on Homelessness Prevention into the Homelessness Earmarked Reserve at the end of the 2017/18 financial year

The Lead Member for Support Services introduced the report. Members asked a number of questions relating to trade waste income. It was also agreed that a summary of agency staff working within Commercial Services would be presented to future meetings of the Waste Working Group.

It was then:

RESOLVED:

- 1) The forecast income and expenditure variations for the 2017/18 financial year and the overall projected underspend of £123,000 (1.5% of the total budget £8.346 million) be endorsed; and
- 2) That Council be **RECOMMENDED** to transfer the underspend on Homelessness Prevention into the Homelessness Earmarked Reserve at the end of the 2017/18 financial year (this is expected to be £60,000).

E.44/17 **CAPITAL PROGRAMME MONITORING**

Members were presented with a report that advised of the progress on individual schemes within the approved capital programme, including an assessment of their financial position.

The Lead Member for Support Services introduced the report. In doing so he drew Members attention to presented appendix B of the report relating to s106 deposits. He noted that some town and parish councils were of the view that the funds held belonged to them and some clarity was needed. The funds were held by the district council, and could be released only in conjunction with an open space project and strategy.

It was then:

RESOLVED:

That the Capital Programme Monitoring Report be endorsed.

E.45/17 **BUDGET PROPOSALS REPORT 2018/19**

Members were presented with a comprehensive report that set out how the Council's Medium Term Financial Position was based on a financial forecast over a rolling five year timeframe to 2022/23. The Council had continued to work in partnership with West Devon Borough Council to achieve savings. However, the Councils continued to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending. This report set out recommendations for budget proposals for 2018/19, prior to requesting the views of other Members in January 2018.

The Leader introduced the report. He stated that the report was not for debate today, it merely proposed a draft budget for Members to consider.

It was then:

RESOLVED

That the Budget Proposals report for 2018/19, and the outcomes of the Members' Budget Workshop, be considered, prior to requesting the views of the Overview and Scrutiny Panel and Development Management Committee at a joint meeting in January 2018 on the budget issues contained within the report.

E.46/17 CAPITAL BUDGET PROPOSALS FOR 2018/19

Members were presented with a report that set out the capital bids to the 2018/19 Capital Programme totalling £2,555,000 and a suggested way that the Bids could be funded.

The Leader introduced the report. Members requested an update on the position with the Community Led Housing Fund. The Executive Director (Strategy and Commissioning) confirmed that a member of staff was now in post and a briefing note would be circulated to all Members in due course.

It was then:

RESOLVED

That the views of the Overview and Scrutiny Panel and Development Management Committee be sought on whether:

1. the Capital Programme Proposals for 2018/19, which total £1,200,000 (Appendix A), be approved;
2. the Capital Programme Proposals for 2018/19, which total £1,355,000 (Exempt Appendix B) be approved;
3. the 2018/19 Capital Programme of £2,555,000 be funded from the sources as set out in section 4 of the presented report.

E.47/17 TREASURY MANAGEMENT MID YEAR REVIEW

Members were presented with a report as required by the Financial Procedure Rules, which provided a mid year treasury update. The Council had outperformed the industry benchmark for investment, however, the Council was forecasting a shortfall in investment income against its budgeted income target. Alternative longer term investment vehicles were being investigated.

The Lead Member for Support Services introduced the report.

It was then:

RESOLVED

That the contents of the report be endorsed.

E.48/17

HEART OF THE SOUTH WEST – JOINT COMMITTEE

Members were presented with a report that sought approval of the recommendations arising from the Heart of the South West (HotSW) Leaders to form a Joint Committee. The key role of the Joint Committee would be to develop, agree and ensure the implementation of the Productivity Strategy which could only be achieved by working, where appropriate, in collaboration with the individual constituent authorities and the LEP.

The Leader introduced the report. During discussion, some Members disagreed with the proposal and stated that it was another unnecessary layer of bureaucracy, whilst other Members agreed that it was important to be involved.

It was then **RESOLVED** that Council be **RECOMMENDED** to:

- a) Approve the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West;
- b) Approve the Arrangements and Inter-Authority Agreement documents set out in appendices A and B for the establishment of the Joint Committee with the commencement date of Monday 22 January 2018;
- d) Appoint the Leader and the Deputy Leader as the Council's named representative and substitute named representative on the Joint Committee;
- c) Appoint Somerset County Council as the Administering Authority for the Joint Committee for a 2 year period commencing 22 January 2018;
- e) Approve the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority;
- f) Approve an initial contribution of £1,400 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority;
- g) Agree that the key function of the Joint Committee is to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);
- h) Authorise the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy; and
- i) Agree the proposed meeting arrangements for the Joint Committee

including the timetable of meetings for the Joint Committee as proposed in paragraph 2.14 of the presented agenda report.

E.49/17

FORMATION OF A COMMUNITY LOTTERY FOR SOUTH HAMS AND WEST DEVON

Members were presented with a report that set out the proposal to implement a joint local community lottery scheme to benefit the residents of South Hams and West Devon.

The Lead Member for Business Development introduced the report.

It was then:

RESOLVED that Council be **RECOMMENDED** to:

1. Approve and implement the proposed business case for the establishment of a joint South Hams and West Devon local community lottery scheme (subject to approval from West Devon Borough Council)
2. Appoint Gatherwell Ltd as an External Lottery Manager (ELM) & Aylesbury Vale District Council (AVDC) to assist with project implementation (subject to a successful Contract Exemption application);
3. Delegate to the Head of Paid Service to nominate two officers to hold the Council's lottery licence and submit the necessary application to the Gambling Commission; and
4. Delegate to the Group Manager Business Development in consultation with the Business Development portfolio holder to approve the bespoke lottery business model policies required in order to submit a valid application to the Gambling Commission to obtain a lottery licence.

E.50/17

LOW COST SELF AND CUSTOM BUILD INITIATIVE FOR LOCAL PEOPLE

Members were presented with a report that sought approval to implement the custom self-build initiative through the current policy (AH5) and the emerging policy TTV31. It was expected that the initiative would increase the supply of accessible affordable homes for local people within the District.

Importantly, homes built through the initiative would be affordable by virtue of the caveats that applicants and subsequent owners would need to adhere to.

The Lead Member for Customer First introduced the report and responded to questions. It was agreed that a briefing note be attached as an appendix to the minutes to clarify one or two points that had been raised during discussion

It was then:

RESOLVED that Council be **RECOMMENDED**:

1. To implement the custom self-build initiative through the current policy (AH5) and the emerging policy TTV31;
2. That the initiative is included in the emerging SPD;
3. That the New Burdens funding is committed to additional staff resource; and
4. That Executive **RESOLVES** to review the supply and progress of the custom self-build initiative periodically.

E.51/17 **COUNCIL TAX REDUCTION SCHEME 2018/19**

Members were presented with a report that set out how it was an annual requirement for Councils to revisit their existing council tax support scheme and make a decision as to whether to replace or revise it.

The Leader introduced the report.

It was then:

RESOLVED that Council be **RECOMMENDED** to continue with the existing Council Tax Reduction scheme for 2018/19 with the uprate of Personal Allowances, Premiums and Non Dependent deductions in line with national welfare benefits.

E.52/17 **PROCUREMENT OF NEW ICT SYSTEMS**

Members were presented with a report that set out how the Council was seeking to procure a modern cloud hostable system or systems capable of realising further efficiencies and financial savings while delivery improved customer facing services, workflow and back office systems with seamless integration. The report set out the progress made so far.

The Lead Member for Support Services introduced the report. Members asked a number of questions and sought confirmation that any future system procured would be compatible with other systems. The CoP Lead ICT confirmed that the way ICT systems were provided was changing and it was important for systems to be able to integrate on different platforms.

It was then:

RESOLVED that officers be supported in their investigation and evaluation of computer systems capable of replacing the current solution acquired under T18 (as set out in paragraph 4 of the presented

report).

E.53/17 **FOOD SAFETY AUDIT REPORT**

Members were presented with a report that outlined the Action Plan developed to implement the recommendations contained within the Food Standards Agency's Audit Report arising from the Food Standards Agency Audit carried out in July 2017. The report also introduced the Food Safety Service Plan 2017/18 in accordance with the requirement of the Food Standards Audit to draw up, document and implement the 2017/18 Service Plan.

The Lead Member for Customer First introduced the report. One Member raised strong concerns over the content of the report. The CoP Lead Environmental Health set the report into context. The Lead Member confirmed that regular meetings would be taking place between her and the CoP Lead and also drew Members attention to the positive aspects of the report such as the significant number of policies and the training of staff being up to date. The CoP Lead confirmed that as a result of following FSA guidelines that stated every food supply business had to be contacted, (rather than taking a risk based approach and focussing on higher risk businesses), the impact on businesses would be that inspections would regulate but would no longer provide advice to help the business grow.

Finally, it was confirmed that the Action Plan would be presented to Overview and Scrutiny Panel in May 2018 for monitoring.

It was then:

RESOLVED

1. That the Executive had the opportunity to comment upon the content of the Food Standards Agency Audit and the Action Plan being implemented to maintain and improve performance within the Food Safety function be endorsed; and
2. That the content of the Food Safety Service Plan 2017/18 be agreed and endorsed.

E.54/17 **WRITE OFF**

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit up to the value of £5,000, written off by the S151 Officer under delegated authority.

The Leader introduced the report and explained the debts over £5,000 in a little more detail.

It was then:

RESOLVED

1. That in accordance with Financial Regulations, it be noted that the s151 Officer had authorised the write-off of individual South Hams District Council debts totalling £66,076.68 as detailed in Tables 1 and 2 of the presented agenda report; and
2. That the write off of individual debts in excess of £5,000 totalling £29,493.05 as detailed in Table 3 of the presented report be approved.

E.55/17 REPORTS OF OTHER BODIES

RESOLVED

That the following be received and that any recommendations contained therein be approved:

a) Overview and Scrutiny Panel – 9 November 2017

i. O&S.69/17 DEVON HOME CHOICE ANNUAL REVIEW AND SOUTH HAMS ALLOCATION POLICY REVIEW

It was then **RESOLVED**:

1. That the Council continue as a partner of Devon Home Choice;
2. That the registering of applicants in Band E (no housing need) for the purpose of Devon Home Choice continue; and
3. That minor changes of updated wording to the South Hams Allocation Policy be accepted.

ii. O&S.70/17 VILLAGE HOUSING INITIATIVE REVIEW

It was then **RESOLVED**:

- a. That promoting and utilising the Village Housing Initiative model continue, and to include this model of delivery within the Supplementary Planning Document (SPD) once the Joint Local Plan is adopted; and
- b. The inclusion of Band E following the cascade for Village Housing Initiative schemes (as set out in the presented agenda report) be agreed.

Members were presented with a report that proposed an interim staffing arrangement to replace the Head of Paid Service for the remainder of this administration (until May 2019).

It was then:

RESOLVED

That Council be **RECOMMENDED** that:

1. the Council designates the Executive Director for Service Delivery and Commercial Development to be the Head of Paid Service for an interim period until the end of the current administration (May 2019) with an option to extend for a further period if required.
2. a report be brought back to the Council towards the end of the interim period to consider the permanent strategic leadership and senior management arrangements.
3. the Executive Director for Service Delivery and Commercial Development receives an uplift of £3,000 in recognition of the Head of Paid Service responsibilities.
4. Members approve a further salary uplift of £10,000 for the Executive Director in recognition of the extra duties that will need to be undertaken as a result of there being only one Executive Director during the interim period.
5. the Executive Director for Service Delivery and Commercial Development maintains strategic leadership and senior management capacity by allocating additional responsibilities to members of the senior and extended leadership team, in consultation with the Leader and Deputy Leader.
6. a review of the arrangements takes place after 6 months to ensure that all responsibilities are being satisfactorily covered.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.48/17, E.49/17, E.50/17, E.51/17 AND E.56/17 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 14 DECEMBER 2017, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 18 DECEMBER 2017 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.00 noon)

Chairman