

SOUTH HAMS EXECUTIVE



Minutes of a meeting of the **South Hams Executive** held on **Thursday, 6th June, 2019** at **10.00 am** at the **Repton Room - Follaton House**

Present: **Councillors:**

Chairman Cllr Pearce
Vice Chairman

Cllr Hopwood
Cllr Hawkins

Cllr Baldry
Cllr May

In attendance:

Councillors:

Cllr Birch
Cllr Holway
Cllr McKay
Cllr Rose
Cllr Taylor
Cllr Pennington

Cllr Hodgson
Cllr Jackson
Cllr Reeve
Cllr Sweett
Cllr Pannell

Officers:

Chief Executive
Deputy Chief Executive
Head of Assets Practice
Commissioning Manager
Specialists Manager
Senior Specialist- Environmental Health
Specialist – Democratic Services

1. **Minutes**

The minutes of the Executive meeting held on 14 March 2019 were confirmed as a true and correct record and signed off by the Chairman.

2. **Urgent Business**

The Chairman advised that she had exercised her discretion to allow for one item of urgent business to be considered at this meeting that related to the recent IT connectivity issues.

The Chief Executive apologised to Members for the recent problems that they had experienced with the connectivity of their IT devices. The cause did not relate to the devices themselves, but a problem that affected the whole Council, including officers. The Deputy Chief Executive added that the problem had taken longer to rectify as the European Elections and the closure of accounts both had to take place before any updates were applied to the system. A report setting out more detail would be presented to the Overview and Scrutiny Panel at its meeting on 13 June 2019.

3. **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 N A Hopwood declared a Disclosable Pecuniary Interest in Item 9: 'Devon Wide Housing Assistance Policy' (Minute E.08/19 below refers), and she left the meeting for the duration of this item.

4. **Public Question Time**

It was noted that the following public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting. The responses are shown in italics. Supplementary questions were asked as shown.

Cllr Pearce responded to each of the following questions:

Question 1 from John Cummings:

"Will SHDC ensure that its Executive members and other councillors are trained and briefed about the IPCC and IPBES reports and that they obtain the knowledge required to engage in informed debate on climate change and biodiversity loss?"

Response:

The Climate Change report going to the Executive on June 6, 2019 includes a recommendation to the Executive for the convening of an all Member Workshop to help scope the challenges, set the priorities and inform the content of the draft Action Plan. The workshop will include briefing and training for Members and will involve external experts(s).

Supplementary question:

"Will the Council consider taking up offers to talk to councillors about climate change which have already been made, such as that from David Ramsden OBE, Founder of the Barn Owl Trust?"

Response:

Cross Panel experts will be identified through work likely to be led by Exeter University and organised by Devon County Council.

Question 2 from Gill Coombs:

"Does the Council have, or is it planning, a procurement policy to buy locally whenever possible? This would not only support local businesses and the local economy, but would avoid the carbon footprint of long distance transportation."

Response:

The Council procures products and services through a range of methods including frameworks at present and are bound to a degree by financial and legislative rules and laws.

There are discussions underway with Plymouth City Council, one of our Joint Local Plan partners, to develop a procurement policy to support local business and reduce carbon. Procurement will form part of the Action Plan recommended in the Climate Change Report.

Supplementary Question:

Does the Council agree that, given the emergency, financial considerations are less important and Climate Change will be given priority?

Response:

In recommending to full Council that a Climate Change Emergency is declared, the importance of responding to the challenges of climate change is recognised. The Council has a duty to manage a range of conflicting priorities whilst delivering key services to the community and setting a balanced budget. The proposed Action Plan will look at the costs and potential economic benefits of meeting the climate change challenge.

Question 3 From Trudy Turrell:

"Now Plymouth City Council, Devon County Council and soon West Devon Borough Council, have declared a Climate Emergency with a 2030 date, the South and West Devon Joint Local Plan becomes conflicting and unworkable. Will the JLP be reviewed and rewritten to comply and achieve the zero carbon target?"

Response:

The Joint Local Plan (JLP) sets, in Policy DEV32, a carbon reduction target in line with formal Government policy / targets that is to be achieved through effective implementation of its policies.

Officers are currently preparing the JLP Supplementary Planning Document (JLP SPD), which elaborates on this policy and a number of

other relevant policies. It is not possible to introduce in the SPD 'new policies' or targets, but that document can set a clear and high bar for prospective developers on the basis that responding positively to climate change in a rounded and effective way is commensurate with good design.

If and when the Government formally revises climate change targets it is likely that these will be enshrined in a revised National Planning Policy Framework and / or National Planning Policy Guidance. Such updated policies would be material considerations which could take precedence over JLP policies. There is, therefore, no need to review the JLP.

The Council is also working with Neighbourhood Planning Groups to support the inclusion in NPs of detailed policies and further specific measures that seek to address climate change in a balanced and effective way.

Supplementary question:

"Now that we are moving away from prioritising the economy and so building extra homes to boost the local economy. Will SHDC now halt the building of 2077 surplus/additional houses allocated in the Joint Local Plan, which are 27% above even the JLPs own assessment of housing needs?"

Response:

The JLP identifies a minimum number of homes to meet identified housing need, consistent with the JLP vision and strategy and delivering a prosperous and sustainable economy.

The Council does not consider that the declaration of Climate Change emergency necessarily equates to the economy being less of a priority, rather it is a matter of how potentially competing objectives are achieved.

Housing need will be considered in the first review of the plan.

Question 4 from Christopher Snow:

"Solar photovoltaic panels were installed on the roof of Follaton House in 2012 to reduce heating bills. Has there been an assessment of the economic viability of installing more panels on this building and on other properties used by this council or rented by tenant organisations?"

Prior to the installation of the panels on the roof of Follaton House, a full appraisal was undertaken to assess the capacity of the roof for solar generation. Whilst it would be physically possible to install more panels than we have, the constraints of the listed building and aspect of the remaining roofs meant that what has been installed was the optimal solution.

Response:

We have installed PV on other buildings we own and occupy, such as in Island Square, Salcombe (12kw). It is however economically

challenging to install PV panels on buildings we own but rent out to tenants.

Question 5 from Peter Scott:

"As a partner in the 'South West Devon Strategic Energy Study' (2013), how is this council implementing this report's recommendations, and those of DCC's and RegenSW's 'Devon Community Energy Impact Report' (2018), and how will it evaluate the income, investment and employment opportunities outlined in these reports?"

Response:

The Council has delivered a range of outputs, as detailed in the Climate Change Report to the Executive on June 6 2019, supporting the recommendations of the reports detailed above. Moving forward, the proposed Action Plan will detail future proposals, primarily with reference to the above and the IPCC, IPBES reports and emerging evidence.

Supplementary question:

"Could the Executive please recommend to the Devon Climate Emergency Response Group that they invite RegenSW to be a member of their committee?"

Response

The inclusion of RegenSW will be discussed with partner organisations.

Question 6 from Barbara Phillips:

"Will SHDC agree to set up a Citizens Assembly and an expert advisory panel to help it to draft and implement a Climate Emergency Action Plan?"

Response:

The Council recognise the need to engage with the community and relevant experts in developing the proposed action plan. As it stands there is a proposal emerging from the Devon Climate Emergency Response Group to produce a Devon Carbon Plan which will include the creation of a Citizens Panel which officers recommend that the Council support in principle.

Supplementary question:

How will SHDC obtain the advice of local energy experts?

Response

Cross Panel experts will be identified through work likely to be led by Exeter University and organised by Devon County Council. Ongoing, and including the letting of Council contracts, the Council will continue to liaise with local groups to identify suitable experts to deliver services and advice.

Question 7 from Leilani van Koten:

"In light of UNISON's 'Divest from Carbon' campaign, launched last year, are UNISON and past and present council employees being consulted about whether their pensions should be invested in fossil fuel industries and other industries contributing to the Climate Emergency?"

Response:

The Council's past and present employees are enrolled into the Devon Pension Fund, administered by Devon County Council. Investment strategy is set by the DCC Investment and Pension Fund Committee. UNISON representatives are included as non-voting members of the Committee. Each year Devon County Council holds an Annual Consultative Meeting which is open to all members of the Pension Fund. This includes presentations on the Pension Fund's investment strategy and performance, and provides the opportunity for pension fund members to ask questions and raise issues. The last two annual consultative meetings have both included presentations on responsible investment including issues around climate change. The Devon Pension Fund's approach is to manage the risks in relation to climate change and to promote change through engagement with companies rather than through divestment. The Devon Pension Fund is a member of the International Investors Group on Climate Change (IIGCC).

Supplementary Question:

Will you be taking the advice of the Pensions Minister, Guy Oserman, who said on Monday that Pension Schemes should be supported for moving people's money out of fossil fuels and into renewables because the financial risks from the climate crisis are 'too important to ignore'?

Response:

The Devon Pension Fund's approach and current policy is to manage the risks in relation to climate change and to promote change through engagement with companies rather than through divestment. Any issues relating to the Pension Fund are a matter for the Devon County Council Investment and Pension Fund Committee and do not fall within the remit of South Hams District Council.

Question 8 from Gordon Nicholson:

"In response to the IPCC and IPBES reports, how many hectares of public space owned by this council have potential for being converted to woodland or forest and so increase local carbon storage, flood mitigation and biodiversity – and how is this option being assessed?"

Response:

This concept will be considered within the emerging action plan. It would require community support and buy in, given that a significant amount of our land is public open space which serves a recreational purpose to our towns and villages.

It's quite hard to ascertain exactly how much land has the potential for planting, but we have about 40 Ha of amenity grass and informal space, some of which may be viable.

Supplementary Question:

Would your Climate Action Plan contain proposals for increasing tree cover in and around council car parks?

Response

In developing the Action Plan the issue of trees on council owned land will be explored.

Question 9 from Robert Vint:

"As a signatory to the 'Devon, Plymouth and Torbay Declaration on Climate Change and Fuel Poverty' (2007), what options are the Council investigating to ensure that all housing, especially social housing, is now built or retrofitted to zero carbon standards or other affordable warmth standards exceeding minimum building regulations?"

Response:

In terms of new housing and carbon reduction, policy DEV32 requires a 20% uplift above building regs for houses on major schemes through onsite renewables and solar orientation. If that can't be achieved, we may look at fabric first solutions that respond positively to the energy hierarchy.

All schemes, regardless of scale, must now provide us with an energy assessment and an indication of which renewable/carbon-reduction technologies have been considered.

The only way to ensure zero carbon homes through the building control process is to change building regs themselves, and that sits with central government, not at LPA. Lobbying Government is an option that will be considered within the emerging action plan.

For existing housing, the Council is working with LiveWest, the main stockholder of Social Housing across the District. LiveWest utilise a fabric first principal where they lead on the design and specification of new build homes, and incorporate low and zero carbon heating systems (for example, ASHP, GSHP, solar and district heating networks) where appropriate and financially viable. In addition, they are committed to updating the thermal performance of social homes across District. This has enhances the SAP rating of these properties and reduces the annual fuel costs for residents.

In addition, the Environmental Health Team secure carbon reduction whilst tackling fuel poverty across the District through:

- Enforcing the minimum energy standards for private rental properties.*
- Allowing energy efficiency measures to be installed under the ECO LA flex scheme. The council has published a statement of intent, which widens the eligibility criteria for ECO (Energy Company Obligation), so that more households can benefit from grants from energy companies. The energy efficiency measures, include insulation and traditional heating methods, however renewables for*

example heat pumps and photovoltaics are included. The council sign a declaration, confirming the household is eligible for the energy company. Under the councils housing assistance policy, where there is a shortfall in ECO funding for a measure, the council can top it up. Last year the council signed 553 declarations and issued 20 ECO top grants.

- *Other areas include supporting the local community energy groups and Citizen's advice through clear referral pathways and exchange of knowledge.*

Supplementary question:

If the Council wished to strengthen or update the Sustainable Construction standards in the JLP what would be the quickest way to make such changes?

Response

Consideration is being given to inclusion in the JLP Supplementary Planning Document of stronger standards with respect to achieving climate change objectives. The SPD will be the subject of public consultation in later summer / autumn this year, with adoption anticipated early 2020.

A comprehensive update won't be possible until the Government issues formal advice and enacts legislation. Such new guidance is likely to include updates to the National Planning Policy Framework and National Planning Policy Guidance, which could take precedence over JLP policies if they are then deemed to be out of date.

Irrespective of the above the JLP will be revised with a view to adopting in 2024 / 2025.

Question 10 from Ella Dangerfield:

"As IPCC/IPBES reports say achieving global net carbon neutrality by 2050 only gives a 55%-66% chance of avoiding global warming of over 1.5 degrees C, and as UK carbon emissions per capita are almost twice the global average, will SHDC join 47+ councils in seeking net carbon neutrality by 2030?"

Response:

The Council recognises the contents of the report. The Climate Change report going to the Executive on June 6th 2019 recommends that:

- 1. The Council declares a Climate Change Emergency;*
- 2. An Action Plan that outlines how the Council will address the Emergency, and meet or exceed the targets set by the Intergovernmental Panel on Climate Change (IPCC), to be brought to Council for approval within 6 months;*
- 3. The Council commits to collaborating with Devon County Council and other agencies to address the Emergency. Pending the outcome of the report it is envisaged that the action plan will look at the feasibility of setting specific dates.*

Supplementary question:

Will the Council assess what it would need to do to meet a 2025 or 2030 target for becoming carbon neutral before it finalised it's own targets for a Climate Action Plan?

Response

Working with partner organisations the Council will explore a wide range of scenarios and options, including the most challenging targets.

Question 11 from Cllr Hodgson:

"Can the Leader confirm that a SHDC Task & Finish / working group will be established to develop a strategy and action plan for South Hams District Council further to the proposed Members Workshop to take forward the Climate Emergency declaration and include cross party Councillor membership to ensure an informed and representative response?"

Response:

Pending the outcome of the report to Executive and the outputs of the Member Workshop, the most appropriate vehicle to develop the proposed action plan will be established. The exact form this will take cannot be confirmed at this stage but will clearly include Members.

In the absence of the Lead Member for Strategic Assets, Cllr Bastone, the Lead Member for Enterprise (Cllr May) responded to the following question:

Question 12 from Mike Mills:

"Can you advise the outcome of the Impact Study conducted on the Health & Wellbeing Centre Project in Dartmouth and the proposals to re-provide an overflow car park?"

Response:

It is noted that the Health and Wellbeing Centre Project will have an impact on the capacity of the over flow car park. This is expected to be C 40 spaces, as the current car park capacity is 120-130 and the proposed car park is C. 90. The car park that serves the H&W centre will be available for parking for the Park and Ride (P&R) as well. The two operations have broadly compatible parking patterns, the P&R at weekends and the H&W centre during the week. There is no proposal to re-provide an overflow car park at this time.

Supplementary Question:

Can you advise why an impact study was not used as set out in best practice?

Response

The Council has not made a decision on the Health and Wellbeing Hub. When it does so, the benefits and risks of the proposal will be set out for the Members to consider, including any loss of Park and Ride

overflow parking and any associated impact (as set out in the response above).

Cllr Pearce responded to the following question:

Question 13 from Emily Price:

"Opportunities for investing in solar photovoltaic panels over Council owned car parks were assessed by this council in 2013. What were the findings of that assessment and what further research is planned into solar energy investment opportunities for the council?"

Response:

One of the strands of the response to the climate emergency will need to review this fully to consider: Current grid capacity, planning policy, economic viability and feed in tariff levels. South Hams commercial acquisition strategy also gives it the opportunity to invest in solar PV projects should they be forthcoming and judged a good use of public finance.

Cllr Baldry responded to the following question as Lead Member for Environment.

Question 14 from Jay Tompt:

"What percentage and tonnage of South Hams domestic waste disposed of in black bin bags and currently incinerated at Devonport is plastic, paper, card, compostable waste or other material that could be recycled rather than burned – and how can these figures be reduced?"

Response:

We have based the following calculations on information gained from a waste analysis carried out in the South Hams in 2017 and applied to the tonnages from last year to give an up to date response.

Under the current recycling service, we estimate that the following domestic waste was incinerated at the Devonport Energy from Waste plant:

1% of plastic or 231 tonnes for the year, 3% paper or 558t for the year, 3% card or 438 tonnes for the year. In addition 26% of the black sack waste was compostable equivalent to 4363 tonnes for the year. The majority of this compostable waste is food waste.

We expect to reduce these figures significantly from September 2020 when a new recycling scheme is introduced which will put the emphasis from disposal to recycling by changing the recycling collection to weekly and extending the amount of materials that can be collected from the kerbside to include glass, plastic pots, tubs and trays, printer cartridges and textiles. This will mean that, based on the 2017 waste audit, 48% could potentially be removed from grey bin collections from this date if the new recycling service is fully utilised by residents.

Cllr Hawkins responded to the following question as Lead Member for Wellbeing.

Question 15 from Colin Moore:

"After 2003 Council Home Repair Grants were replaced by Home Improvement Loans and Landlord Loans provided via partner organisations. What proportion of tenants in the South Hams currently live in fuel poverty and how many have benefitted from such loans to reduce fuel poverty over the previous year?"

Response:

Households that experience fuel poverty are now based on the "Low income, high cost" methodology, where required fuel costs are above the national average, and where spending that amount would be left with a residual income below the official fuel poverty line. The key elements in determining fuel poverty are income, fuel prices and fuel consumption.

Department for Business, Energy and industrial Strategy statistics 2018 reported that in 2016 out of the 38,828 households in the South Hams 3,918 were experiencing fuel poverty (10.1%). Devon average is 10.9%

The Council does not offer grants to Social Housing tenants specifically to tackle fuel poverty as this is the responsibility of the Registered Provider (Housing Association).

The Council does provide disabled facilities grants that may deal with the insulation properties of a social house where certain conditions prevail.

Total numbers of loans/grants by SHDC to owner occupiers/private tenants in 18/19;

In 2018/19 we provided 49 properties with Eco top up grants from SHDC – a contribution towards central heating/insulation measures.

We have facilitated approx. 500 Eco installations facilitated by our ECO declaration (The Energy Company Obligation (ECO) is a government energy efficiency scheme in Great Britain to help reduce carbon emissions and tackle fuel poverty)

2 Wessex Loans provided for upgrades to heating and double glazed windows.

Supplementary Question:

Does the Council have any target dates for the elimination or reduction of Fuel Poverty within the District?

Response:

The Council is currently working towards the government target of 'ensuring that as many fuel poor homes as is reasonable practicable achieve a minimum energy efficiency rating of Band C, by 2030' (Department of Energy and Climate Change). The Council's Fuel Poverty target will be included in the discussions regarding the Action Plan, where consideration may be given towards developing a local target.

5. **Executive Forward Plan**

Members were presented with the Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content without any comment.

6. **Climate Change**

Members were presented with a report that outlined recent developments with regard to climate change and set out proposals to investigate how the council could further reduce its carbon footprint in response to the IPCC report and the declaration of a 'Climate Change Emergency'.

The Leader introduced the report and, as part of her introduction, updated the Members following her attendance at the Devon Districts Forum and Devon Local Government Steering Group meetings held on 31 May 2019. In so doing, she advised that Teignbridge District Council had now started to commission scoping work for a district council and this Council had agreed to share the costs with them as this would be a sensible way of moving forward.

The Leader concluded by stating that the intention was to take an informed and evidence based approach working with partners and the public.

During discussion, points raised included the following:

- How to work with local town and parish councils. The Leader responded that this could be addressed as part of the scoping work;
- How to address biodiversity and habitat loss as part of the Action Plan. The Leader responded that this should be raised in the Member workshop;
- Whether the workshop invitation could be extended to staff and tenants, and whether steps could be taken to make Follaton plastic free. The Lead Member for Customer Satisfaction responded that the Waste Working Group had undertaken work on the use of plastics and an update would be sought;
- That work had been done by other agencies that could support some of the initiatives being discussed such as DCC who had produced an Action Plan on what they could do about plastics and the work of Devon Pensions on assessing their carbon footprint;
- Whether it would be possible to host a forum on the Council website to enable residents to share their ideas and experiences.

Members supported the report and thanked the Leader for the work undertaken to produce the report in a short space of time. The

Leader asked that thanks be noted to the Specialists Manager who had written the report.

It was then:

RESOLVED

That the Executive **RECOMMEND** to Council that:

1. The Council declares a Climate Change Emergency;
2. An Action Plan be developed that outlines how the Council will address the Emergency, and meet or exceed the targets set by the Intergovernmental Panel on Climate Change (IPCC), including an assessment of the viability of a 2030 target, to be brought to Council for approval within 6 months;
3. The Council commits to collaborating with Devon County Council, all the Devon District Councils, Plymouth City Council and other agencies, to address the Emergency;
4. The Action Plan identifies key performance indicators measured against any relevant national standards;

That the Executive **RESOLVES** to:

5. approve the convening of an all Member Workshop to help scope the challenges, set the priorities and inform the content of the draft Action Plan; and
6. delegate authority to the Head of Paid Service, in conjunction with the Leader, who has the responsibility for the Climate Change programme, to sign the Devon-wide Declaration on Climate Change.

7. **Customer Satisfaction Action Plan Progress**

The Executive was presented with a report that detailed progress made since March 2019 on improving customer satisfaction and also included recommended next steps to continue to improve the customer experience by further honing the Council website, to pre-empt customer needs and manage expectations.

The Lead Member for Customer Satisfaction introduced the report, and gave an example of service improvements. She also asked that an additional recommendation be included, that the Action Plan Progress report be presented to Executive on a quarterly basis, rather than monthly.

It was then:

RESOLVED that:

1. The progress made to date in improving customer satisfaction as detailed in section 3 of the report be noted;
2. The next steps as outlined in section 5 of the report be supported; and
3. That future progress reports be presented on a quarterly basis.

8. **Devon Wide Housing Assistance Policy**

Members were presented with a report that provided an outline of proposals to change the existing policy to better utilise the budget with more flexible assistance packages that will be available to a greater number of vulnerable residents.

The Lead Member for Wellbeing introduced the report, and the Senior Specialist Environmental Health responded to questions.

It was then:

RESOLVED

That Council be **RECOMMENDED** that the existing 2018-19 Homes Assistance Policy be updated with the revised 2019-21 Devon Housing Assistance Policy.

9. **Granting of long leases in Dartmouth, Salcombe and Kingsbridge**

Members were presented with a report that set out the details of three new long leases that were proposed for a term greater than 15 years.

The Lead Member for Assets introduced the report.

It was then:

RESOLVED

1. That the granting of three long leases be approved, to formalise the historic use of an area in Dartmouth and to support the commemoration of 150 years of the Salcombe and Kingsbridge Lifeboat; and
2. That final agreement of the Heads of Terms be delegated to the Head of Assets Practice in consultation with the Lead Member for Assets.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.06/19 (1), (2), (3) and (4), AND E.08/19 WHICH WERE RECOMMENDATIONS TO THE SPECIAL COUNCIL MEETING TO BE HELD ON 25 JULY 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 17 JUNE 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

The Meeting concluded at 11.05 am

Signed by:

Chairman
