

South Hams Council



Title:	Agenda																																													
Date:	Thursday, 13th February, 2020																																													
Time:	2.00 pm																																													
Venue:	Council Chamber - Follaton House																																													
Full Members:	<p style="text-align: center;">Chairman Cllr Rowe Vice Chairman Cllr Foss</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">Cllr May</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Austen</td> <td>Cllr McKay</td> <td></td> </tr> <tr> <td>Cllr Baldry</td> <td>Cllr O'Callaghan</td> <td></td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr Pannell</td> <td></td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pennington</td> <td></td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pringle</td> <td></td> </tr> <tr> <td>Cllr Chown</td> <td>Cllr Reeve</td> <td></td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Rose</td> <td></td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Smerdon</td> <td></td> </tr> <tr> <td>Cllr Holway</td> <td>Cllr Spencer</td> <td></td> </tr> <tr> <td>Cllr Hopwood</td> <td>Cllr Sweett</td> <td></td> </tr> <tr> <td>Cllr Jackson</td> <td>Cllr Taylor</td> <td></td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Thomas</td> <td></td> </tr> <tr> <td>Cllr Long</td> <td></td> <td></td> </tr> </table>	Cllr Abbott	Cllr May		Cllr Austen	Cllr McKay		Cllr Baldry	Cllr O'Callaghan		Cllr Bastone	Cllr Pannell		Cllr Birch	Cllr Pearce		Cllr Brazil	Cllr Pennington		Cllr Brown	Cllr Pringle		Cllr Chown	Cllr Reeve		Cllr Hawkins	Cllr Rose		Cllr Hodgson	Cllr Smerdon		Cllr Holway	Cllr Spencer		Cllr Hopwood	Cllr Sweett		Cllr Jackson	Cllr Taylor		Cllr Kemp	Cllr Thomas		Cllr Long		
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																																													
Committee administrator:	Democratic.Services@swdevon.gov.uk																																													

- 1. Minutes** **1 - 14**
to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Council held on 19 December 2019;
- 2. Urgent Business**
the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency (any such item to be dealt with under 'Business Brought forward by the Chairman');
- 3. Exempt Information**
to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information;
- 4. Declarations of Interest**
Members are invited to declare any personal; or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;
- 5. Chairman's Engagements**
- 6. Business Brought Forward by the Chairman**
to consider business (if any) brought forward by the Chairman;
- 7. Revenue Budget Proposals for 2020/21** **15 - 36**
- 8. Capital Budget Proposals for 2020/21** **37 - 52**
- 9. Questions**
to consider the following question received in accordance with Council Procedure Rule 8.
- 10. Notice of Motion**
to consider the following motions received (if any) in accordance with Council Procedure Rule 10.1

Notices of Motion – to consider the following motions received in accordance with Council Procedure Rule 10.1:

(a) By Cllrs Pearce and Bastone

'With immediate effect, this Council adopts the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism that reads as follows:

'Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.'

[S:\All Staff\Committee Reports\South Hams Committees\Council\2020-02-13](#)

(b) By Cllrs Chown and Hawkins

'That South Hams District Council:

- (i) acknowledges the progress that this Council has made to reduce greenhouse gas emissions and promote renewable electricity;
- (ii) recognises that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;
- (iii) further recognises:
 - that very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being impossible for local renewable electricity generators to do so;
 - that making these financial costs proportionate to the scale of a renewable electricity supplier's operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations; and
 - that revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emissions reduction measures and to help improve local services and facilities;
- (iv) accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 115 MPs in the previous Parliament, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and

(v) further resolves to:

- inform the local media of this decision,
- write to local MPs, asking them to support the Bill, and
- write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN) expressing its support.

(Additional Note: this motion also has the support of Sir Gary Streeter MP as below:

Dear Matt,

Thank you for your email and I set out my statement of support below:

"I am pleased to express my support for the Local Electricity Bill brought forward by Private Members' Bill in the last Parliament, but which unfortunately did not complete its passage before the election.

I am encouraging the government to adopt this measure to enable local renewable energy generators to sell that energy into their local community and not simply to a utility company. I am sure that this kind of micro generation and distribution is an important part of the renewable landscape as we move towards our carbon zero targets."

*Best wishes,
Gary)*

11. Reports of Bodies

to receive and as may be necessary approve the minutes and recommendations of the under-mentioned Bodies

NB

* Indicates minutes containing recommendations to Council
Recommendations in these minutes were determined at the last Council meeting on 19 December 2019.

- | | |
|---|----------------|
| (a) Development Management Committee - 4 December 2019 | 53 - 64 |
| (b) Executive # 19 December 2019 | 65 - 74 |
| (c) Development Management Committee - 15 January 2020 | 75 - 80 |

	<i>Page No</i>
(d) Joint Overview & Scrutiny Panel and Development Management Committee - 23 January 2020	81 - 88
(e) Overview & Scrutiny Panel - 23 January 2020	89 - 94
(f) Licensing Committee - 30 January 2020	95 - 98
(g) EXECUTIVE * - 6 FEBRUARY 2020	

To follow

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Agenda Item 1

MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 19 DECEMBER 2019

MEMBERS

* Cllr R Rowe – Chairman

* Cllr R J Foss – Vice-Chairman

* Cllr V Abbott	* Cllr D W May
* Cllr L Austen	∅ Cllr J McKay
* Cllr K J Baldry	∅ Cllr D M O’Callaghan
* Cllr H D Bastone	∅ Cllr G Pannell
* Cllr J P Birch	* Cllr J A Pearce
* Cllr J Brazil	* Cllr J T Pennington
* Cllr D Brown	* Cllr K Pringle
* Cllr M Chown	∅ Cllr H Reeve
* Cllr J D Hawkins	* Cllr J Rose (pm only)
* Cllr J M Hodgson (pm only)	* Cllr P C Smerdon
* Cllr T R Holway	* Cllr B Spencer
* Cllr N A Hopwood	* Cllr J Sweett
* Cllr S Jackson	* Cllr B Taylor
* Cllr K Kemp	∅ Cllr D Thomas
* Cllr M Long	

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Deputy Chief Executive; Section 151 Officer; Director of Place and Enterprise; Director of Governance and Assurance; Monitoring Officer; and Senior Specialist – Democratic Services

49/19 **MINUTES**

The minutes of the meeting of Council held on 26 September 2019 and the two special meetings of Council held on 28 November 2019 were all confirmed as a correct record and signed by the Chairman.

50/19 **URGENT BUSINESS**

The Chairman informed that she had no items of urgent business for consideration at this meeting.

51/19 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

52/19

CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that a list of her engagements that she had attended during the last quarter had been circulated to all Members outside of this meeting.

In particular, the Chairman made reference to her recent invitation to the Woolwell Community Christmas Lunch. In highlighting the thriving community in Woolwell, the Chairman advised that she had enjoyed this event greatly and she proceeded to thank the local Ward Member for the invitation.

53/19

UPDATED COMMERCIAL INVESTMENT STRATEGY, INVESTMENT STRATEGY AND CAPITAL STRATEGY

The Council considered a report that sought approval of a revised:

- Commercial Investment Strategy;
- Investment Strategy; and
- Capital Strategy.

The main purpose of the proposed revisions was to enable the Council the opportunity to invest (and to borrow to invest) in renewable energy.

During the ensuing discussion, the Leader of Council committed to providing a response outside of this meeting on:

- the electricity that was likely to be generated from the two solar farms that the Council was considering purchasing; and
- the recent meeting that had been held with the newly appointed Senior Management Team from Dartington Trust.

It was then:

RESOLVED

That approval be given to the Council's updated:

- Commercial Investment Strategy;
- Investment Strategy; and
- Capital Strategy.

54/19

COMMUNITY INFRASTRUCTURE LEVY

Members were presented with a report that set out the purpose, timetable and key issues with respect to the proposal to introduce the Community Infrastructure Levy (CIL) in the South Hams District and West Devon Borough in collaboration with Plymouth City Council.

In discussion, assurances were given that the consultation process would include developers and local town and parish councils. As part of the consultation with town and parish councils, the point was made that local Ward Members also had a key role to play in this part of the process.

It was then:

RESOLVED

1. That the consultation on the Community Infrastructure Levy (CIL), including the evidence base, be approved; and
2. That internal and external Workshops be convened to discuss the evidence base prior to consultation.

55/19

POLITICAL STRUCTURES AND GOVERNANCE REVIEW

A report was considered that presented the conclusions of the Political Structures Working Group on the following governance related matters:

- Webcasting of Council and Committee meetings;
- Use of Substitutes at Committee meetings;
- Committee Sizes and should all Members be allocated a seat on a Committee?;
- Joint Overview and Scrutiny Opportunities with West Devon Borough Council;
- Member Briefings over Skype;
- Meeting Start Times and Venues; and
- Review of Appointing 'Independent Persons' to serve on the Audit Committee.

In discussion, questions were raised over the proposal to enable for Substitute Members to serve on the Development Management Committee and Members expressed their support for the implementation of this trial.

It was then:

RESOLVED

1. That the Political Structures Working Group decisions on the Webcasting Project be noted;
2. That, initially for a trial period for the remainder of the 2019/20 Municipal Year, Group Leaders be given the ability to nominate Substitute Members (from the Overview and Scrutiny Panel membership only) to serve on the Development Management Committee;

3. That, in light of resolution 2 (above):
 - Cllrs Reeve, Smerdon and Spencer (Conservative Group);
 - Cllrs O'Callaghan and Thomas (Liberal Democrat Group); and
 - Cllrs Rose and Sweett (Green Party Group)be nominated as Substitute Members to serve on the Development Management Committee;
4. That the draft Substitutes Protocol (as attached at the revised Appendix A to the presented agenda report) be adopted;
5. That the status quo in respect of both Committee Sizes and the practice whereby all 31 Members must serve on one of either the: Development Management Committee; Executive; or Overview and Scrutiny Panel be retained;
6. That, where deemed appropriate by the relevant lead officer, Members be given the option of remotely attending Member Briefings over Skype;
7. That the status quo in respect of the start time of formal Member meetings and the venues that they are held in be retained; and
8. That, initially for a twelve month trial period, one 'fit for purpose' Independent Person (with full voting rights) be recruited to serve on the Council's Audit Committee.

56/19

DEMENTIA FRIENDLY COUNCIL

The Council considered a report that sought its approval to work towards becoming a Dementia Friendly Council.

In discussion, reference was made to:-

- (a) the views of a Member that the Council could improve its telephony system to support its residents who were suffering from Alzheimers. In reply, the lead Executive Member gave a commitment to look into the views that had been expressed;
- (b) the work of the 'Dementia Friendly Parishes Around the Yealm' Group. In paying tribute to the work of the Group, some Members felt that the Council should utilise the expertise contained within the Group.

It was then:

RESOLVED

That the authority work towards becoming a 'Dementia Friendly Council.

57/19 **ANNUAL REVIEW OF HEALTH AND SAFETY POLICY STATEMENT**

Consideration was given to a report that sought Council approval to adopt a revised Health and Safety Policy Statement.

Following an introduction from the lead Executive Member, it was then:

RESOLVED

That the revised Policy be adopted and signed by the Head of Paid Service and the Leader of the Council.

58/19 **CALENDAR OF MEETINGS 2020/21**

Members considered a report that presented the draft Calendar of Meetings for 2020/21.

In her introduction, the Leader advised that she intended to **PROPOSE** two amendments to the draft Calendar that were as follows:-

- inclusion of an additional Executive meeting on 3 December 2020; and
- the Council meeting that was scheduled to be held on 10 December 2020 being put back a week to 17 December 2020.

This proposal was then **SECONDED** and when put to the vote was declared **CARRIED**.

It was then:

RESOLVED

That the Calendar of Meetings 2020/21 (as outlined at Appendix A of the presented agenda report) be approved subject to:-

- An additional Executive meeting being added for 3 December 2020; and
- The Council meeting that was scheduled to be held on 10 December 2020 being put back a week to 17 December 2020.

59/19 **HONORARY ALDERMEN – PRESENTATION TO MR JOHN TUCKER**

The Chairman advised that, at a Special Council meeting on 28 November 2019, Members had approved a proposal to confer the title of Honorary Aldermen on Mr John Tucker (Minute 48/19 refers).

This decision had been made in recognition of Mr Tucker's 22 years' service as a Ward Member for West Dart. During these 22 years, Mr Tucker had also been the Deputy Leader of the Council for 8 years (between 1999 and 2007) and the Leader of the Council for 12 years (between 2007 and 2019).

Upon receiving a commemorative medal, Mr Tucker addressed the Council and proceeded to thank Members for conferring the Honorary Aldermen title upon him and paid tribute to the Members and officers that he had worked with between 1997 and 2019.

(At this point, the Chairman adjourned the meeting (at 11.55am) before it was then reconvened at 2.00pm).

60/19 **CLIMATE CHANGE UPDATE**

Members considered a report that outlined progress in developing the Climate Change and Biodiversity Action Plan and proposals for progressing its implementation along with proposed targets for reducing carbon emissions both organisationally and across the South Hams District.

In discussion, reference was made to:-

- (a) the amount of unscheduled work that had been undertaken by officers. Notwithstanding the amount of work, some Members also emphasised that, having declared a Climate Change and Biodiversity Emergency, it was now vitally important that the Council began to make real progress on the delivery of the Action Plan;
- (b) the Devonwide Citizens Assembly. Members paid tribute to the Citizens Assembly document that had been circulated and it was confirmed that:
 - it would be published on the Council website; and
 - the proposed Assembly would engage with the younger community.

It was then:

RESOLVED

1. That the draft Action Plan proposal (as at Appendix 1) subject to it being:
 - (a) amended to comply with parts 2 and 4 of the Climate Change resolution arising from the Special Council meeting held on 25 July 2019 (Minute 29/19(b) refers);
 - (b) forwarded to Town and Parish Councils for their comments and for such comments to be received by 31 March 2020;

- (c) published on the Council's Climate Change section of its website with a provision for comments from the public to be received by 31 March 2020;
 - (d) reviewed and amended following the end of the consultation period at points (b) and (c) above. (NB. such amendments to be considered by the Working Group by 30 April 2020, with an updated version of the Action Plan then being submitted to the Annual Council meeting on 21 May 2020 for approval);
 - (e) able to be monitored on an ongoing basis by Full Council at any time it considers it necessary and/or appropriate;
2. That the content of the Council's first Greenhouse Gas Inventory (as outlined at Section 5 of the presented agenda report) be noted;
 3. That the Council aim to reduce its organisational carbon emissions (Scope 1, 2 and 3 emissions) to net-zero by 2030;
 4. That the Council commit to working with partners through the Devon Climate Emergency Response Group to aim to reduce the District of South Hams' carbon emissions to net zero by 2050 at the latest;
 5. That the Council aim for a 10% Biodiversity Net Gain in the habitat value of its green and wooded public open space by 2025;
 6. That the Climate Change and Biodiversity Working Group be requested to develop a Framework for a Climate Change and Biodiversity Strategy to be brought back to Full Council for approval on 21 May 2020; and
 7. Request that an update on progress against the adopted aims be brought back to Council on an annual basis.

61/19

SUSTAINABLE PROCUREMENT POLICY AND PROCEDURE

The Council considered a report that recommended that the draft Sustainable Procurement Policy (SPP) be adopted with its effectiveness being evaluated in a further six months' time.

In discussion, the following points were raised:-

- (a) With regard to the draft SPP, some Members highlighted the lack of reference to carbon footprint considerations in the Environmental Sustainability element. As a consequence, Members asked that, during each Procurement process, consideration be given to the carbon footprint of an organisation and, if the information was known, scoring be weighted in favour of those with an identified low carbon footprint.

- (b) Whilst it was an aspirational aim at the present time, some Members also reiterated the importance and value of procuring, wherever possible, from local organisations.

It was then:

RESOLVED

1. That the Sustainable Procurement Policy and Procedure (as outlined at Appendix A of the presented agenda report) be approved;
2. That the six policies sitting under the 'Responsible Procurement Strategy' be replaced with the Sustainable Procurement Policy; and
3. That a review into the approved Sustainable Procurement Policy be undertaken in six months' time.

62/19

QUESTIONS

It was noted that no questions had been received in accordance with Council Procedure Rule 8.

63/19

NOTICE OF MOTIONS

It was noted that four motions had been received in accordance with Council Procedure Rule 10:

(a) By Cllrs Pearce and Hopwood

"We ask that the Council Payroll Department sets up and publicises a 'Give as You Earn' scheme, so that anyone on the payroll is able to establish regular giving to a charity or charities of their choice."

In her introduction, the proposer advised that, having sought advice from the Section 151 Officer, she had slightly altered her motion from that contained in the published agenda papers.

In support of her motion, the proposer advised that there were tax incentives from such a scheme that also enhanced a corporate sense of social responsibility.

In discussion, the following points were raised:-

- (i) The Council was informed that the scheme was applicable to all registered charities;
- (ii) Whilst wholeheartedly supporting the motion, a Member did wish to make the point that a number of Members already donated to a number of charities.

It was then:

RESOLVED

This Council asks that its Payroll Department set up and publicise a 'Give as You Earn' scheme, so that anyone on the payroll is able to establish regular giving to a charity or charities of their choice.

(b) By Cllrs Birch and Baldry

“That the Council, as from the start of the 2020/21 Financial Year, increase the Council Tax premium on properties that have been empty for over two years from 50% to 200% thus resulting in the Council Tax on such properties being 300%.”

The proposer quoted Council Procedure Rule 12.7(a) 'Alteration of Motion' and **PROPOSED** the following revised motion to that contained within the published agenda papers:-

‘Subject to a recommendation from the Executive to Council in February 2020 on timing and staggered increases, the Council, as from the start of the 2020/21 Financial Year, increases the Council Tax premium on properties that have been empty for over two years from its current level to the maximum amount allowed by Government regulations.’

Once **SECONDED**, the proposer made the following comments:

- 15 homes had been empty for over 5 years, with 4 being empty for over 10 years;
- Whilst the purpose of his motion was not financially driven, the proposer felt that approval would now be timely when considering that the Council was about to start drafting a new Housing Strategy; and
- His altered motion requested that the Executive take a detailed look at the mechanisms of the process.

During the subsequent debate, the following points were raised:

- (a) In preparing the report for the Executive, a request was made that reference be included to a recent publication entitled: 'Action on Empty Homes';
- (b) The motion was important in order to increase the housing stock in the South Hams;
- (c) A Member hoped that the Housing Strategy would include the provision for Compulsory Purchase Orders to be used for those homes that had been empty for a long period of time.

It was then:

RESOLVED

Subject to a recommendation from the Executive to Council in February 2020 on timing and staggered increases, the Council, as from the start of the 2020/21 Financial Year, increases the Council Tax premium on properties that have been empty for over two years from its current level to the maximum amount allowed by Government regulations.

(c) By Cllrs Hodgson and Rose

“That the policies and proposals of the Joint Local Plan must be reviewed as a matter of urgency as, in its present form, it conflicts with and is unable to deliver a sustainable future, in light of the recognition of the Climate and Biodiversity Emergency that South Hams District Council has declared.”

During her introduction, the proposer stated that the Joint Local Plan (JLP) had been adopted prior to the Council declaring a Climate Change and Biodiversity Emergency and, such was the significance of this declaration, that it was now timely to review the JLP policies and proposals.

In discussion, the following points were raised:

- (i) Some Members stated their opposition to the motion for reasons that included:
 - The JLP already containing a strategy for managing growth over the plan period that was firmly rooted in the principles of sustainable development;
 - A decision to immediately review and update the JLP would effectively announce that the Strategy and Policies were out of date thereby resulting in the policies not having full weight and weakening the Plan;
 - The likelihood that any such extensive review would take a number of years; and
 - The Council not being able to invoke a review on its own and also requiring the approval of its partner authorities – West Devon Borough Council and Plymouth City Council;
- (ii) An addition to the motion was **PROPOSED** and **SECONDED** that read as follows:

‘That, pending the outcome of this review, a moratorium be declared on any large scale developments.’

A number of Members felt that the addition was unachievable and, as a consequence, the proposer and seconder proceeded to withdraw it;

- (iii) A Member felt strongly that legislation should be adopted to ensure that all new build development was carbon neutral.

When put to the vote, the motion was declared **LOST**.

(d) By Cllrs Hodgson and Sweett

'Prior to being signed as a legally binding contract between SHDC and/or DCC and other relevant parties regarding a planning decision, a draft copy of the Section 106 Agreement will be provided to the relevant local Ward Member(s) for three days to provide an opportunity for any questions or clarification.'

The proposer introduced her motion and cited a particular example that she felt justified why it should be approved at this meeting.

- (a) An amendment was **PROPOSED** and **SECONDED** that read as follows:

'Following a decision to grant planning permission that is subject to a Section 106 Agreement involving a Major planning application, the first and final drafts of the Section 106 Agreement will be provided to the local Ward Member(s) in which the development is situated so that they are aware of the proposed content.'

The proposer and seconder of the amendment advised that they had sought advice from the Deputy Monitoring Officer prior to this meeting and this amendment reflected that advice.

When put to the vote, this amendment was declared **CARRIED**;

- (b) It was noted that local Ward Members had a key role to play in the process and approval of this motion would reflect this importance.

It was then:

RESOLVED

Following a decision to grant planning permission that is subject to a Section 106 Agreement involving a Major planning application, the first and final drafts of the Section 106 Agreement will be provided to the local Ward Member(s) in which the development is situated so that they are aware of the proposed content.

RESOLVED

That the minutes and recommendations of the undermentioned bodies be received and approved subject to any amendments listed below:-

- | | | |
|-----|-----------------------------|------------------|
| (a) | Audit Committee | 7 November 2019 |
| (b) | Overview and Scrutiny Panel | 21 November 2019 |

O&S.52/19: Guidance of Information Commissioner's Office Procedure**RESOLVED**

That the following procedure be adopted to inform Members and the public of decisions made by the Information Commissioner's Office (ICO) in relation to requests for information:

1. That the Council takes the necessary steps to publish on a quarterly basis details relating to the number of requests handled by the Council and the decisions taken in relation to those requests in accordance with the Section 45 Code of Practice;
2. That the Council reviews its Publication Scheme in the light of requests for information it receives annually;
3. Where the Council is advised by the ICO that a request has been referred to it, the Leader and relevant lead Executive Member be notified and, if the matter relates to a planning issue, the local Ward Members are also notified. For non-planning issues, the Deputy Monitoring Officer will determine on a case by case basis whether it could be disclosed to local Ward Members;
4. That all Members be notified with a copy of the Decision Notice when it is received, in addition to it being published on the Council website and the matter will be reported to the Overview and Scrutiny Panel;
5. That, when an ICO decision recommends that further action is taken by the Council, the Freedom of Information Officer will ensure that the relevant officer takes the action on behalf of the Council or seeks the agreement of the Monitoring Officer if they wish to challenge the Decision.

- | | | |
|-----|-----------|------------------|
| (c) | Executive | 19 December 2019 |
|-----|-----------|------------------|

E.59/19: Quarter 2 Revenue Budget Monitoring 2019/20

RESOLVED

That £40,000 be transferred from the Dartmouth Lower Ferry Earmarked Reserve in order to complete the work required to bring the existing fleet up to the required Maritime and Coastguard Agency (MCA) Standards.

E.60/19: Capital Programme Monitoring

RESOLVED

1. That £110,000 of the remaining Capital Programme Contingency Budget of £183,399 be approved for allocation to the Whitestrand, Salcombe Capital Project;
2. The Capital Budget of £140,000 (as set out in exempt Appendix B of the presented agenda report) be approved retrospectively, to be funded from the Dartmouth Ferry Reserve; and
3. That the Capital Budgets for developing Beach Huts in Salcombe and Beesands be withdrawn.

65/19

CHAIRMAN'S CONCLUDING REMARKS

In her concluding comments, the Chairman asked that the thanks and well wishes of the Council be passed on to the Democratic Services Specialist, who was about to embark on a twelve month secondment opportunity with the Local Government Association.

(Meeting commenced at 11.00 am and concluded at 3.35 pm)

Chairman

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**SOUTH HAMS DISTRICT
COUNCIL**

13 FEBRUARY 2020

**2020/21
REVENUE BUDGET PROPOSALS**

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

Purpose of the Report

This report provides an update of our overall financial position and details the formal proposals of the Executive to achieve a balanced budget. The minutes of the Executive meeting of 6 February 2020 are included elsewhere on this agenda and provide a more complete picture of the decisions taken.

The General Fund Revenue Budget, Medium Term Financial Strategy (MTFS) and the recommendations for the 2020/21 financial pressures and savings are summarised in Appendices A to F of this report. The MTFS has been rolled forward to enable Members to look ahead to future years in considering their spending plans and council tax levels.

The Final Local Government Finance Settlement was published by the Government on 6th February 2020. This confirmed that there were no changes to any of the Council's figures from the information that was announced in the draft Local Government Finance Settlement in December 2019.

There will be a one year Spending Round for 2020/21 and plans for a more substantial Spending Review for 2021/22 onwards. So effectively this is a 'roll-forward' Finance Settlement from the Government for 2020/21 for one year. The point is being made by the Local Government Association (LGA) that Councils need more certainty of their funding longer term post 2020.

The Council no longer receives any Government Grant (Revenue Support Grant) to fund its services and the Council has to be self-sufficient. The Council Tax Referendum limits for District Councils will be the higher of £5 or 1.99% for 2020/21.

The Council's Net Budget would be £9.4 million for 2020/21, for all of the services it delivers.

Negative Revenue Support Grant (RSG) for 2020/21 will be eliminated by the Government. There has been no news on what will happen to negative RSG from 2021/22 onwards and therefore the modelling in this report has assumed negative RSG will remain for 2021/22 onwards in some form (e.g. as part of the business rates baseline reset).

For 2020/21, the funding amount (£81m nationally) and the methodology for the distribution of Rural Services Delivery Grant remain unchanged from 2019/20. South Hams District Council's share of this is £408,055 for 2020/21. This is Government grant to recognise the additional cost of delivering services in rural areas.

This report sets out the revenue budget proposals for a balanced budget for 2020/21. The Council is currently forecasting a budget gap of £0.57m for 2021/22. The aggregated Budget Gap by 2024/25 is £3.2million

In Summer 2019, the Council declared a Climate Change and Biodiversity Emergency. As part of the 2020/21 Budget Proposals, it is being recommended to set up a fund of £400,000 for emergency climate change projects.

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

This is a one-off amount of money and the Climate Change and Biodiversity Working Group will have a key role to play in the process of how this is allocated. The Budget Proposals also include a Climate Change Policy Officer (a two year temporary post) to help deliver the Council's Action Plan.

Given the level of uncertainty facing Local Authorities finances, it is also being recommended by the Executive, to transfer the unallocated balance of New Homes Bonus funding of £235,000, into the New Homes Bonus Earmarked Reserve. Its future use is proposed to be decided when more details are known about the Spending Review for 2021/22 and following a Government consultation document on a replacement scheme for NHB which will be published in the Spring of 2020.

Statutory Powers: Local Government Act 1972, Section 151
Local Government Finance Act 1992

RECOMMENDATIONS:-

(The references in the Recommendations below refer to the Appendices in this report or to the relevant Section of the 2020/21 Revenue Budget report presented to the Executive at its meeting on 6 February 2020).

It is RECOMMENDED that:

- i) **Council Tax is increased by £5 (which equates to a Band D council tax of £170.42 for 2020/21, an increase of £5 per year or 10 pence per week. This is a 3.02% increase). This equates to a Council Tax Requirement of £6,562,617.**
- ii) **The financial pressures in Appendix B of £1,600,640 be agreed.**
- iii) **The schedule of savings identified in Appendix B totalling £904,877 be agreed.**
- iv) **The Collection Fund Surplus of £60,000 as shown in Appendix B be agreed.**
- v) **The net contributions to reserves (£117,843) to be included within the Authority's budget, as set out in Appendix D be**

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

agreed (this includes using £564,143 of New Homes Bonus funding to fund the 2020/21 Revenue Budget.

- vi) The use of £400,000 of New Homes Bonus funding to set up an emergency climate change projects Earmarked Reserve, as set out within 2.20 of the Executive Revenue Budget Proposals report on 6th February 2020, be agreed.
- vii) To transfer the unallocated balance (currently £235,016) of New Homes Bonus into the New Homes Bonus Earmarked Reserve, with its future use to be decided when more details are known about the Spending Review for 2021/22 and following a Government consultation document on a replacement scheme for NHB which will be published in the Spring of 2020
- viii) The inclusion of an Economy post (shared with West Devon Borough Council) within the staffing establishment for two years, as 2.37 of the Executive report on 6th February 2020 on the Revenue Budget Proposals for 2020/21, be agreed.
- ix) Partnership funding levels are as set out within 2.38 of the Revenue Budget report to the Executive on 6 February 2020, with the addition of £5,000 to the CVS for 2020/21 only
- x) Delegation is given to the S151 Officer, in consultation with the Leader and Executive Member for Finance to agree the final amount of New Homes Bonus funding for the Dartmoor National Park for 2020/21.
- xi) The Council should set its total net expenditure for 2020/21 as shown in Appendix B as £9,410,672.
- xii) The minimum level of the Unearmarked Revenue Reserves is maintained at £1,500,000, as per Section 7 of the Revenue Budget report to the Executive on 6 February 2020.
- xiii) The level of reserves as set out within the report to the Executive on 6 February 2020 and the assessment of their adequacy and the robustness of budget estimates are noted. This is a requirement of Part 2 of the Local Government Act 2003.
- xiv) Delegated authority is given to the S151 Officer, in consultation with the Leader of the Council, to carry out a virement within the 2020-21 Budget, to increase both the partnership expenditure budget by £9,000 and the estates

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

management income budget by £9,000, to reflect a commercial rate of rent for the Citizens Advice South Hams but also to ensure no loss of service provision to local residents.

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Part 1: The Executive's considerations in arriving at its final proposals for financial pressures, savings and Council Tax (Executive meeting held on 6th February 2020).

1. Over the last six months, the Executive has given the budget very detailed consideration and has sought views on budget proposals. This process has enabled and informed Members in their consideration of the appropriate level of service provision and council tax levels.
2. The Executive are recommending increasing council tax by £5 and are recommending that Full Council approve this. This would mean the council tax would increase to £170.42 for 2020/21 (a 3.02% increase), an increase of £5 per year or 10 pence per week.
3. Council in September 2019 (Council Minute 34/19) set the strategic intention to raise council tax by the maximum allowed in any given year, without triggering a council tax referendum, to enable the continued delivery of services. It was recognised that this measure would increase the base budget for ensuing years and protect the delivery of services and the Council's financial resilience. To balance the budget of £9.4 million, the Council has identified £0.9 million in savings. The Council is still forecasting a £0.57 million budget gap by 2021/22.
4. The Executive also recommends a capital works programme for 2020/21 amounting to £3,730,000. This is covered in detail in a separate report 'Capital Budget Proposals for 2020/21' on this Council Agenda. Projects include:-
 - Public Sector Renewals (including Disabled Facility Grants)
 - The sixth year of a planned programme of coastal assets repairs based on a marine survey
 - Waste fleet replacement programme
 - Waste containers for the Devon aligned service
 - Replacement equipment for play parks (owned by SHDC)

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

- Commercial Development opportunities

(A capital budget was not requested by officers for affordable housing in 2020/21, due to the amount of funding already available through the community housing fund (a budget of £8.5m was approved at Council on 21st March 2019), s106 contributions and second homes monies).

5. Sensitivity analysis and risk analysis – The figures within the Budget proposals have been subject to a sensitivity analysis and a risk analysis. This has identified a potential adverse revenue effect of £1.04 million (from the sensitivity analysis in Appendix F). Revenue Reserves are recommended to be maintained at a minimum of £1.5 million. The S151 Officer therefore confirms the robustness of the Budget Proposals and the adequacy of the reserves.

Part 2: Conclusion

6. The above paragraphs summarise the overall position faced by the Council and the considerations of the Executive in arriving at its final proposals to achieve a balanced budget.
7. The proposed budget will leave the Council on a stable financial footing with a level of reserves which will help us manage the uncertainty of the forthcoming Spending Review.
8. The Council no longer receives any Government Grant (Revenue Support Grant) to fund its services and the Council has to be self-sufficient. The Council is currently forecasting a budget gap of £0.57m for 2021/22. The aggregated Budget Gap by 2024/25 is £3.2million. The recent Peer Review report in 2019 stated that it will be important to ensure that financial self-sufficiency becomes the byword over the medium term and focus is maintained to achieve this.
9. The Council continues to do everything it can to make sure that residents, businesses and front-line services come first. Forward planning has allowed us to ease the pressures on front line services and for those in our community who face financial difficulties.
10. Looking ahead, South Hams District Council has agreed an action plan to support the Council's aim of becoming a carbon neutral organisation by 2030 and to help the District of South Hams reach Zero Carbon by 2050. As part of next year's budget, the proposal is for the Council to set up a fund of £400,000 for emergency climate change projects.
11. Local Government finances are increasingly stretched and there is a great deal of financial uncertainty for District Councils from 2020 onwards with a "fair funding review" due to be implemented in 2021/22, which will

2020/21 REVENUE BUDGET PROPOSALS – FINAL RECOMMENDATIONS

set new baseline funding allocations for Councils, based on an assessment of needs and resources. There will also be a reform of the Business Rates retention scheme.

12. The Council will continue to maximise its current sources of income through business development, ensuring the maximum utilisation of our assets, identifying new income streams, and actively pursuing all opportunities to increase the resources available and further reduce costs. The Council will also continue to transform services through the use of digital technology. In this financial climate, income generation becomes a key priority area. 2019 has seen the Council purchase its first commercial investment property within the South Hams District.
13. This is a budget to maintain frontline services, invest in an action plan to support the Council's declaration of a climate change and biodiversity emergency and further drive our commercial and community endeavours, whilst also preserving the longer term future of the Council. Strong financial management over many years and the continual drive for efficiency has enabled the Council to accommodate service pressures while still maintaining a low level of council tax. I commend the budget proposals to the Council.

Councillor J Pearce
Leader of the Council

7 February 2020

APPENDICES

Appendix A – Summary of Budget pressures, savings and income generation and contributions to Earmarked Reserves

Appendix B – Summary of Budget Position for the years 2020/21 to 2024/25

Appendix C – Schedule of Reserves

Appendix D – Analysis of Contributions to/(from) Earmarked Reserves

Appendix E – Summary of Draft Revenue Budget for 2020/21

Appendix F – Sensitivity Analysis and Risk Analysis of the MTFS

BACKGROUND PAPERS

Executive 6 February 2020 – Revenue Budget Proposals 2020/21

Executive 6 February 2020 – Capital Budget Proposals 2020/21

Joint Development Management Committee and Overview and Scrutiny Panel 23 January 2020.

Council – 26th September 2019 – Medium Term Financial Position 2020/21 onwards

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BUDGET PROPOSALS 2020/21 FEBRUARY 2020
(This shows the changes to the existing Base Budget)

APPENDIX A

	BASE 2019/20	Yr1 2020/21	Yr2 2021/22	Yr3 2022/23	Yr 4 2023/24	Yr 5 2024/25
	£	£	£	£	£	£
BUDGET PRESSURES						
Inflation and increases on goods and services	220,000	110,000	110,000	110,000	110,000	110,000
Torr Quarry Transfer Station	142,500					
Triennial Pension revaluation (increase in Pension Employer primary rate contributions)		140,000				
Salaries - provision for pay award at 2% for 20/21 onwards	280,000	140,000	140,000	140,000	140,000	140,000
Waste collection, recycling and cleansing contract (estimate)		130,000	130,000	130,000	130,000	130,000
National Living Wage and National Insurance	50,000	70,000	70,000	70,000	70,000	70,000
Two planning enforcement officers (SHDC share of the cost - Council September 19)	29,000	50,078				
Employer's pension costs - Waste collection, recycling and cleansing contract	290,000	25,000				
Depot annualised costs - Waste collection, recycling and cleansing contract	22,200	60,762	60,761			
Devon aligned service for waste		175,000	175,000			
Implementation costs for Devon aligned service for waste (one-off) This is additional staffing support for implementation such as roadshows, communications and customer services support.		125,000	(125,000)			
Reduction in recycling income	125,000	95,000				
Blue and Clear recycling bag processing (safe working practice requirement)	75,000					
Haulage contract	60,000					
Reduction in Housing Benefit administration subsidy and Council Tax Support Admin Grant	15,000					
Car parking costs - collection fees	25,000					
ICT future service provision		150,000				
ICT support contracts - increase the budget to better align to actual expenditure	50,000					
Housing Benefit overpayment recoveries		100,000	70,000			
Payment collection expenses		25,000				
Maintenance of trees		40,000				
Climate Change Policy Officer (SHDC share of cost - 2 year temporary post)		25,000		(25,000)		
Housing Posts (make three temporary posts permanent - SHDC share of costs - to be funded by Government grant - Flexible Homelessness Grant funding)		48,700				
Economy Post - 50% of cost (shdc share), for two years		25,000		(25,000)		
SLT/ELT Restructure - redundancy/pension strain costs		25,000			(25,000)	
Dartmouth Ferry - management recharge from Salcombe Harbour		21,100				
Large and hazardous fly tipping costs (outside of the FCC contract)		20,000				
TOTAL BUDGET PRESSURES	1,383,700	1,600,640	630,761	400,000	425,000	450,000
Changes to contributions to Earmarked Reserves						
Reduce the contribution from the New Homes Bonus Reserve (assumes a contribution of £500,000 in 2019/20, £564,143 in 2020/21 with reduced contributions from 2021/22 onwards from any replacement NHB scheme)	141,084	(64,143)	164,143	100,000	100,000	50,000
Vehicle Fleet Replacement Reserve (Council 6th December 2018)	60,000					
Contribution to Economic Regeneration Projects Reserve (Business Rates Pilot gain). This contribution is one-off for 2018/19 only.	(475,000)					
Reduce contribution to Land and Development Reserve	(43,000)					
Dartmouth Ferry - increase annual contribution to £235,000 by 2024/25		30,000	30,000	30,000	30,000	28,000
Transformation Project (T18) - Approved at 11 December 2014 Council <i>Contribution to Strategic Change Reserve to meet pension strain costs</i>	(150,000)	(60,000)				
Repairs and Maintenance Reserve - increase annual contribution from £55,000 to £80,000 in 2020/21 and £105,000 from 2021/22		25,000	25,000			
Contribution from the Flexible Homelessness Government Grant for three housing posts (SHDC share of costs)		(48,700)				
Total changes in contributions to Earmarked Reserves (as per Appendix D)	(466,916)	(117,843)	219,143	130,000	130,000	78,000

BUDGET PROPOSALS 2020/21 FEBRUARY 2020
(This shows the changes to the existing Base Budget)

APPENDIX A

SAVINGS AND INCOME GENERATION IDENTIFIED

	Yr1 2019/20 £	Yr2 2020/21 £	Yr3 2021/22 £	Yr 4 2022/23 £	Yr 5 2023/24 £	Yr 5 2023/24 £
Boat Storage Charges (as per Fees and Charges report)	(3,000)					
Duty Planning - charged appointment basis (as per Fees and Charges report)	(9,000)					
Savings from re-procurement of contracts (e.g. leisure contract)	(22,000)	(165,000)	(65,000)	(116,000)	0	
Procurement of waste collection, recycling and cleansing contract (Note - The employer's pension costs of £290,000, the depot annualised costs of £22,200 and the increase to the Vehicle Earmarked Reserve of £60,000 are deducted from this figure to show the total net annual saving as per the report to Council on 6th December 2018)	(658,351)	(129,674)	(129,672)			
Income from Commercial Developments (Executive 13/12/18)			(115,911)	(41,096)		
Planning fee income	(40,000)					
Dartmouth Lower Ferry	(25,000)					
Public Conveniences - Pay on Entry, contributions and transfer to Parish Council/ closure 1.9.2019 where agreement has not been reached for transfer - Includes rate relief from 2021 - Savings as set out in the Executive report 22nd November 2018. Figures have been updated to reflect the proposals set out within the Public Conveniences update report to the Executive on 19th December 2019	(118,275)	(55,203)	(54,537)			
Other budget savings (cessation of Communities Together Fund)	(7,000)					
Reduce partnership grant funding to the CVS (£12,600) and South Devon AONB (£9,700)	(22,300)					
Advertising on website and e-bulletins	(3,500)					
Corporate consultancy income	(20,000)					
Energy Certificate for Eco Schemes	(10,000)					
Food and Health and Safety advice	(3,000)					
Increase investment in CCLA from £1.5m to £3.5m (treasury management income) - Appendix F	(60,000)					
Dartmouth Park and Ride - charging review			(30,000)	(20,000)	(10,000)	
Senior Leadership Team - Interim arrangement (£34,000) - Restructure (£60,000) as per July 2019 Council report - a total of £94,000	(34,000)	(60,000)				
Review ICT contracts	(10,300)	(6,300)				
Review cleaning contract Follaton	(5,000)					
Vehicle Trackers	(2,900)					
Digital Downloads of Planning applications	(3,500)	(3,500)				
Implement e-billing for Council Tax	(2,100)	(2,100)	(2,100)	(2,100)	(2,100)	(2,100)
Council Tax Support Grant - proposal to reduce by 50% per annum over two years	(8,000)	(37,000)	(37,000)			
Car parking pay & display fees - increase by 4%		(80,000)				
Commercial Investment Strategy		(75,000)				
Employment Estates income		(25,000)				
Treasury Management income		(20,000)				
Corporate Consultancy income		(10,000)				
Cancellation of the IEG4 Contract & implementation of the Northgate Citizen access portal		(12,000)	(12,000)			
Review of fees and charges - boat storage fees (£2,000) and S257 footpath diversion orders (£2,100)		(4,100)				
Dartmouth Lower Ferry income		(20,000)				
Triennial Pension Revaluation - no secondary pension contributions payable due to the pension Deficit being Nil at 31.3.2019		(200,000)				
TOTAL SAVINGS AND INCOME GENERATION	(1,067,226)	(904,877)	(446,220)	(179,196)	(12,100)	(2,100)

Line No.	Appendix B - Council Tax is increased by the higher of £5 or 1.99% each year Modelling for the financial years 2020/21 onwards	BASE 2019/20 £	Yr 1 2020/21 £	Yr 2 2021/22 £	Yr 3 2022/23 £	Yr 4 2023/24 £	Yr 5 2024/25 £
1	Base budget brought forward	8,983,194	8,832,752	9,410,672	9,248,382	9,521,093	9,830,803
2	Budget pressures (as per Appendix A)	1,383,700	1,600,640	630,761	400,000	425,000	450,000
3	Savings already identified (as per Appendix A)	(1,067,226)	(904,877)	(446,220)	(179,196)	(12,100)	(2,100)
4	Changes in contributions to Earmarked Reserves (App A)	(466,916)	(117,843)	219,143	130,000	130,000	78,000
5	Projected Net Expenditure:	8,832,752	9,410,672	9,814,356	9,599,186	10,063,993	10,356,703
	Funded By:- (See Note 1 below regarding New Homes Bonus funding)						
6	Council Tax income - Modelling a £5 increase in 2020/21	6,315,689	6,562,617	6,825,327	7,092,038	7,362,748	7,637,459
7	Collection Fund Surplus	112,000	60,000	100,000	100,000	100,000	100,000
8	Localised Business Rates (baseline funding level)	1,897,008	1,928,000	1,960,000	1,991,000	2,030,000	2,062,000
9	Tariff/Top Up Adjustment amount (negative RSG - withdrawn for 20/21)			(400,000)	(400,000)	(400,000)	(400,000)
10	Business Rates Pooling Gain	100,000	225,000	125,000	100,000	100,000	100,000
11	Business Rates - amount achieved over the Baseline funding level		227,000	230,000	230,000	230,000	230,000
12	Rural Services Delivery Grant	408,055	408,055	408,055	408,055	408,055	408,055
13	Total Projected Funding Sources	8,832,752	9,410,672	9,248,382	9,521,093	9,830,803	10,137,514
	Budget Gap per year						
14	(Projected Expenditure line 5 - Projected Funding line 13)	0	0	565,974	78,093	233,190	219,189
	Actual Predicted Cumulative Budget Gap	0	0	565,974	644,067	877,257	1,096,446
	Aggregated Budget Gap (if no action is taken in each individual year to close the budget gap annually)	0	0	565,974	1,210,041	2,087,298	3,183,744
	Modelling Assumptions:						
	Council Tax (Band D) (Modelling the higher of £5 or a 1.99% increase)	165.42	170.42	175.42	180.42	185.42	190.42
	Council Tax Base (Assumes an increase in Band D Equivalent properties of 400 per annum)	38,179.72	38,508.49	38,908.49	39,308.49	39,708.49	40,108.49

Note 1 - New Homes Bonus Funding

The modelling for 2020/21 includes a contribution of £564,143 from New Homes Bonus (NHB) funding to fund the Base Budget. Appendix A shows the movement between years of the funding from NHB. Funding will reduce from 2021/22 onwards from any equivalent contribution from a replacement NHB scheme.

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RESERVES - PROJECTED BALANCES (EXCLUDES SALCOMBE HARBOUR)						APPENDIX C
	Cost Centre	Opening balance 01.04.2019 £000s	Additions to Reserve 2019/20 £000s	Predicted Spend 2019/20 £000s	Projected balance 31.03.2020 £000s	Comments
EARMARKED RESERVES						
Specific Reserves - General Fund						
Capital Programme	S0820	(84)	(453)	453	(84)	Transfer to R & M Reserve £80k for Follaton roof and lift, 17/18 Capital Programme £30k, Kingsbridge Quay Master Plan Stage 2a, 18/19 Capital Programme £204k, 19/20 Capital Programme £140k
Revenue Grants	S0821	(578)	0	58	(520)	This reserve comprises of government grants received for specific initiatives or new burdens and are held in the reserve for accounting purposes
Affordable Housing	S0822	(988)	0	910	(78)	Funding of Capital Programme Commitments
Renovation Grant Reserve	S0823	(7)	0	0	(7)	Comprises proceeds from repayments
New Homes Bonus	S0804	(1,155)	0	919	(236)	Commitments as per 19/20 budget report approved at Council on 21/2/19 (£500k to fund the Revenue Base Budget in 19/20). This funding is all committed to capital projects.
Community Parks and Open Spaces	S0826	(107)	(17)	95	(29)	South Devon Tennis Courts, Follaton Arboretum
Repairs & Maintenance	S0827	(45)	(148)	71	(122)	Coronation Road toilets (O&S 38/18), Bigbury toilets replacement hand dryers £11k and improvements to mobile phone signal at Follaton House - £80,000 contribution into the reserve from the Capital Programme Reserve for Follaton Roof and Lift
Marine Infrastructure	S0828	(210)	(58)	0	(268)	Of the remaining balance of £268,000, an amount of £200,000 is committed to Baston Harbour Workshops as per 19/20 Capital Programme (E.70/18)
Land and Development	S0829	(94)	(121)	76	(139)	Commitments include the balance of the land transfer to Dartmouth Town Council £12k, feasibility studies £14k, and £50k earmarked for Council Owned Asset Investment and Development E.08/18.
Dartmouth Ferry Repairs & Renewals	S0830	(455)	(87)	214	(328)	Fleet refurbishment £74k (includes £40k recommended in this report) engineering works at Dartmouth Lower Ferry Workshops (health & safety urgent works) £120k.
Homelessness Prevention	S0851	(112)	0	0	(112)	
Economic Initiatives	S0831	(27)	0	21	(6)	RDP Local Action £16.4k South West LEP £5k
Vehicles & Plant Renewals	S0832	(1,264)	(550)	617	(1,197)	Fleet Replacement Programme
Pay & Display Equipment Renewals	S0833	(123)	(21)	0	(144)	
On-Street Parking	S0834	(44)	0	0	(44)	
Strategic Change Reserve (T18)	S0849	0	(60)	60	0	T18 Pension Strain
ICT Development	S0836	(126)	(50)	53	(123)	Replacement Member laptops £16k, Netcall Liberty software upgrade £13k, Devon WAN upgrade £10k
Sustainable Waste Management	S0837	(29)	(25)	54	0	
District Elections	S0838	(78)	(10)	0	(88)	
Beach Safety	S0839	(14)	0	0	(14)	
Planning Policy & Major Developments	S0840	(125)	(50)	17	(158)	Commitment relates to Enforcement officers E.39/19
Section 106 Deposits	S0842	(38)	0	0	(38)	Comprises deposits with no repayment conditions - created as a result of IFRS
Members Sustainable Community Locality	S0846	(6)	0	0	(6)	
Innovation Fund (Invest to Earn)	S0850	(17)	0	15	(2)	Commitment relates to the development of Admiral Court, Dartmouth (Executive 16/6/16)
Community Housing Fund	S0854	(1,285)	0	300	(985)	This reserve holds the remaining balance of the Community Housing Fund grant received in 2016/17 of just under £1.9m (Government grant). This is partly earmarked for consultancy costs for future and existing schemes.
Support Services Trading	S0856	(43)	0	0	(43)	
Leisure Services	S0858	(57)	0	57	0	Prudential borrowing costs
Environmental Health Initiatives	S0857	(20)	0	11	(9)	Commitment for a temporary student post
Economic Regeneration Initiatives (Business Rates pilot gain 2018/19)	S0858	(379)	0	100	(279)	This reserve was created to hold the 2018/19 Business Rates Pilot gain. The commitments includes amounts earmarked for Council Owned Asset Investment and Development E.08/18, and for Commercial Development opportunities E.62/18.
Section 106 Monitoring	S0929	(124)	0	14	(110)	
Joint Local Plan	S0860	(31)	0	0	(31)	New reserve for Joint Local Plan Funding
S106 Technical Support	S0862	(20)	0	0	(20)	
Sub Total excluding the Business Rates Reserve		(7,685)	(1,650)	4,115	(5,220)	
Business Rates Retention	S0824	(5,114)	0	0	(5,114)	This relates to a timing issue on the accounting adjustments required for the localisation of business rates. This reserve also deals with any volatility in Business Rate income e.g. due to appeals. An amount of £3.5m has been ringfenced for Employment for the creation of local jobs (Council February 2018). It was agreed by Council to fund the acquisition of 10 acres of employment land at Sherford from this reserve. On 31 October 2019 the Executive recommended to Council to use up to £200k to fund the cost of extending the lease of the starter units at Langage from 21 years to 125 years, funded from this reserve.
TOTAL EARMARKED RESERVES		(12,799)	(1,650)	4,115	(10,334)	
TOTAL UNEARMARKED RESERVES (General Fund Balance)		(1,898)		(27)	(1,925)	Projected underspend of £27,000 for 2019/20
TOTAL REVENUE RESERVES (EARMARKED AND UNEARMARKED RESERVES)		(14,697)	(1,650)	4,088	(12,259)	

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ANALYSIS OF CONTRIBUTIONS TO/(FROM) EARMARKED RESERVES

Estimate 2019/20			Estimate 2020/21		Estimate 2021/22	
To £	(From) £		To £	(From) £	To £	(From) £
181,600		Capital Programme	181,600		181,600	
16,900		Community Parks & Open Spaces	16,900		16,900	
10,000		District Elections	10,000		10,000	
87,000		Ferry major repairs & renewals	117,000		147,000	
	(500,000)	New Homes Bonus (replacement scheme in 21/22)		(564,143)		(400,000)
	0	Flexible Homelessness Gov Grant		(48,700)		(48,700)
20,800		Pay & Display Equipment	20,800		20,800	
99,000		Pension Fund Strain Payments	99,000		99,000	
55,000		Repairs and maintenance	80,000		105,000	
60,000		Strategic Change Reserve	0		0	
550,000		Vehicles & Plant Renewals	550,000		550,000	
7,000		Land and Development Reserve	7,000		7,000	
50,000		IT Development Reserve	50,000		50,000	
25,000		Sustainable Waste Management	25,000		25,000	
50,000		Planning Policy and Major Development	50,000		50,000	
2,000		Interest credited to reserves	2,000		2,000	
1,214,300	(500,000)	TOTALS	1,209,300	(612,843)	1,264,300	(448,700)
714,300		GRAND TOTAL	596,457		815,600	

Note: The movement between the two years (£714,300 less £596,457) equates to the (£117,843) shown in Appendix A in 'Total changes in contributions to Earmarked Reserves' for 2020/21.

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Service Group	19/20 Base Net Budget £'s	19/20 Virements £'s	19/20 Revised Net Budget £'s	20/21 Pressures/ (Savings) £'s	20/21 Budget Preparation Virements £'s	20/21 Salary Estimate Virements £'s	20/21 Final Base Budget £'s
a) Customer Service & Delivery	5,709,373	(31,031)	5,678,342	1,310,840	80,000	70,900	7,140,082
b) Place & Enterprise	(1,317,899)	(18,361)	(1,336,260)	(298,303)	0	15,400	(1,619,163)
c) Governance & Assurance	4,824,881	36,831	4,861,712	(132,074)	(80,000)	(200)	4,649,438
d) Strategic Finance	835,097	12,561	847,658	(184,700)	0	(86,100)	576,858
Total	10,051,452	0	10,051,452	695,763	0	0	10,747,215
Contributions to/(from) Reserves	714,300						596,457
Reversal of Depreciation	(1,933,000)						(1,933,000)
Net Budget Total	8,832,752						9,410,672
Funded by:							
Localised Business Rates (baseline funding level)	1,897,008						1,928,000
Business Rates Pooling Gain	0						225,000
Business Rates Pilot Gain and Growth	100,000						0
Business Rates - amount achieved over the baseline funding level	0						227,000
Council Tax (modelling an increase of £5 in 20/21)	6,315,689						6,562,617
Collection Fund Surplus	112,000						60,000
Rural Services Delivery Grant	408,055						408,055
Total	8,832,752						9,410,672

a)	Customer Service & Delivery	Budget Manager	19/20 Base Net Budget £'s	19/20 Virements £'s	19/20 Revised Net Budget £'s	20/21 Pressures/ (Savings) £'s	20/21 Budget Preparation Virements £'s	20/21 Salary Estimate Virements £'s	20/21 Final Base Budget £'s
S1010	Customer Contact Centre	Sarah Moody	463,800	0	463,800	22,000	0	(47,900)	437,900
S1013	Case Management Localities	Sarah Moody	281,800	0	281,800	10,700	0	10,100	302,600
S1020	Planning Applications and Advice	Pat Whymer	(805,500)	0	(805,500)	(2,100)	0	0	(807,600)
S1040	Local Land Charges	Pat Whymer	(143,000)	0	(143,000)	0	0	0	(143,000)
S1250	Customer First CoP Leads & Group Manager	Catherine Bowen	0	0	0	0	0	0	0
S1304	Grounds Maintenance	Sarah Moody	468,095	0	468,095	50,800	0	3,300	522,195
S1501	General Health	Ian Luscombe	11,000	0	11,000	0	0	0	11,000
S1503	Public Health	Ian Luscombe	(16,323)	0	(16,323)	0	0	0	(16,323)
S1531	Licensing	Ian Luscombe	(189,900)	(1,000)	(190,900)	0	0	0	(190,900)
S1533	Pest Control	Ian Luscombe	13,500	0	13,500	0	0	0	13,500
S1534	Pollution Control	Ian Luscombe	(4,100)	0	(4,100)	0	0	0	(4,100)
S1535	Food Safety	Ian Luscombe	2,750	0	2,750	0	0	0	2,750
S1536	Health & Safety at Work	Ian Luscombe	9,900	0	9,900	0	0	0	9,900
S1544	Community Safety	Ian Luscombe	5,600	0	5,600	0	0	0	5,600
S1545	Emergency Planning	Ian Luscombe	9,600	0	9,600	0	0	0	9,600

S1550	Housing Standards	Ian Luscombe	1,000	0	1,000	0	0	0	1,000
S1551	Homelessness	Isabel Blake	149,300	0	149,300	4,000	0	0	153,300
S1552	Housing Advice	Isabel Blake	3,000	0	3,000	0	0	0	3,000
S1555	Private Sector Housing Renewal	Ian Luscombe	0	0	0	0	0	0	0
S1565	Housing Benefit Payments	Isabel Blake	(87,000)	0	(87,000)	100,000	0	0	13,000
S1568	Housing Benefit Administration	Isabel Blake	(195,300)	0	(195,300)	0	0	0	(195,300)
S1571	Council Tax Collection	Isabel Blake	(313,800)	(72,800)	(386,600)	0	0	0	(386,600)
S1574	Council Tax Support	Isabel Blake	(84,000)	0	(84,000)	0	0	0	(84,000)
S1998	Case Management Customer Service & Delivery (Note 1)	Sarah Moody	1,331,000	(35,700)	1,295,300	289,078	0	313,300	1,897,678
S1999	Specialists Customer Service & Delivery (Note 1)	Catherine Bowen	2,516,400	109,000	2,625,400	166,300	0	(805,300)	1,986,400
S2734	Pannier Markets	Ian Luscombe	(90,900)	0	(90,900)	0	0	0	(90,900)
S4001	Senior Leadership Team (Note 1)	Sophie Hosking	101,700	0	101,700	(54,700)	0	227,000	274,000
S4002	Extended Leadership Team (Note 1)	Sophie Hosking	0	0	0	0	0	578,300	578,300
S4004	Corporate Training & Occupational Health	Andy Wilson	38,900	0	38,900	0	0	0	38,900
S4005	Case Management Service Based Training	Sarah Moody	0	0	0	0	0	0	0
S4015	Specialists Service Based Training	Catherine Bowen	0	0	0	0	0	0	0
S4041	Internal Audit	Catherine Bowen	72,900	0	72,900	2,700	0	(500)	75,100
S4082	Landline Telephones	Mike Ward	39,700	0	39,700	0	0	0	39,700
S4084	ICT Support Contracts	Mike Ward	448,951	(18,531)	430,420	138,400	0	0	568,820
S4085	Mobile Phones	Mike Ward	19,000	0	19,000	0	0	0	19,000
S4086	ICT Hardware Replacement	Mike Ward	36,600	0	36,600	0	0	0	36,600
S4087	Photocopiers/MFD's	Mike Ward	33,900	0	33,900	0	0	0	33,900
S4100	Specialists Human Resources CoP (Note 1)	Catherine Bowen	120,900	0	120,900	6,300	0	(53,900)	73,300
S4101	Specialists Legal CoP (Note 1)	Catherine Bowen	172,800	0	172,800	7,300	0	(36,000)	144,100
S4102	Specialists Design CoP (Note 1)	Catherine Bowen	56,600	0	56,600	2,700	0	(8,800)	50,500
S4103	Specialists Finance CoP (Note 1)	Catherine Bowen	211,700	12,000	223,700	10,700	0	(37,000)	197,400
S4104	Specialists ICT CoP (Note 1)	Catherine Bowen	270,600	0	270,600	16,800	0	(34,500)	252,900
S4150	Case Management Support Services (Note 1)	Sarah Moody	508,800	0	508,800	16,400	33,500	(147,300)	411,400
S4155	Case Management Digital Mail Room	Sarah Moody	0	0	0	0	(33,500)	106,100	72,600
S4160	Corporate Management	Pauline Henstock	134,600	0	134,600	15,000	0	0	149,600
S4185	Specialists Strategy & Projects	Catherine Bowen	0	0	0	0	0	0	0
S4196	ICT Customer Support	Sarah Moody	88,600	0	88,600	4,500	0	4,000	97,100
S4199	Central Service Overheads	Catherine Bowen	90,000	(24,000)	66,000	(3,500)	0	0	62,500
S6040	Borrowing Costs (Note 2)	Pauline Henstock	109,200	0	109,200	527,462	80,000	0	716,662
S6050	Interest & Investment Income	Pauline Henstock	(183,000)	0	(183,000)	(20,000)	0	0	(203,000)
			5,709,373	(31,031)	5,678,342	1,310,840	80,000	70,900	7,140,082

b)	Place & Enterprise	Budget Manager	19/20 Base Net Budget	19/20 Virements	19/20 Revised Net Budget	20/21 Pressures/ (Savings)	20/21 Budget Preparation Virements	20/21 Salary Estimate Virements	20/21 Final Base Budget
			£'s	£'s	£'s	£'s	£'s	£'s	£'s
S1030	Economic Development	Tom Jones	(700)	0	(700)	0	0	0	(700)
S1060	Community Development	Tom Jones	132,400	0	132,400	0	0	0	132,400
S1070	Environmental Initiatives	Tom Jones	46,300	0	46,300	0	0	0	46,300
S1104	Land & Investment Properties	Laura Wotton	(635,900)	0	(635,900)	(275,700)	0	0	(911,600)
S1165	Follaton House Offices	Laura Wotton	168,900	29,539	198,439	34,500	0	2,200	235,139
S1301	Community Parks & Open Spaces	Laura Wotton	110,900	(2,000)	108,900	0	0	0	108,900
S1305	Cemeteries & Burials	Laura Wotton	28,500	0	28,500	0	0	0	28,500
S1306	Countryside Recreation	Laura Wotton	500	0	500	0	0	0	500
S1311	Outdoor Sports & Recreation	Laura Wotton	134,979	0	134,979	2,900	0	0	137,879
S1365	Flood Defence & Land Drainage	Laura Wotton	46,400	0	46,400	0	0	0	46,400
S1367	Coast Protection	Laura Wotton	54,700	(1,000)	53,700	0	0	0	53,700

S1400	Employment Estates	Laura Wotton	(388,243)	(11,700)	(399,943)	(5,000)	0	0	(404,943)
S1558	Housing Strategy	Tom Jones	3,100	0	3,100	0	0	0	3,100
S2002	Beach & Water Safety	Cam Sims-Stirling	40,500	2,000	42,500	0	0	0	42,500
S2005	Salcombe Harbour	Cam Sims-Stirling	0	0	0	0	0	0	0
S2010	Dartmouth Lower Ferry	Cam Sims-Stirling	4,700	0	4,700	19,800	0	1,600	26,100
S2030	Totnes Depot	Laura Wotton	22,400	0	22,400	5,000	0	0	27,400
S2043	Ivybridge Depot	Laura Wotton	24,475	0	24,475	0	0	0	24,475
S2044	Torr Quarry Depot	Laura Wotton	11,000	0	11,000	0	0	0	11,000
S2101	Car & Boat Parking	Laura Wotton	(1,656,250)	(17,100)	(1,673,350)	(47,200)	0	6,800	(1,713,750)
S2310	Dog Warden Service	Laura Wotton	5,000	0	5,000	0	0	0	5,000
S2400	Public Conveniences	Tom Jones	514,040	(9,000)	505,040	(46,103)	0	0	458,937
S2841	Repairs & Maintenance	Laura Wotton	9,100	(9,100)	0	13,500	0	4,800	18,300
S2884	Supervisors Vehicles	Laura Wotton	5,300	0	5,300	0	0	0	5,300
			(1,317,899)	(18,361)	(1,336,260)	(298,303)	0	15,400	(1,619,163)

c)	Governance & Assurance	Budget Manager	19/20 Base Net Budget	19/20 Virements	19/20 Revised Net Budget	20/21 Pressures/ (Savings)	20/21 Budget Preparation Virements	20/21 Salary Estimate Virements	20/21 Final Base Budget
			£'s	£'s	£'s	£'s	£'s	£'s	£'s
S1310	Leisure Centres (Note 2)	Jane Savage	334,700	0	334,700	(431,000)	(80,000)	0	(176,300)
S2017	Street and Beach Cleaning	Jane Savage	1,034,947	0	1,034,947	64,800	0	0	1,099,747
S2701	Waste & Recycling Collection Contract	Jane Savage	2,810,110	(244,869)	2,565,241	213,126	0	0	2,778,367
S2713	Trade Waste Services	Jane Savage	(349,800)	291,000	(58,800)	10,400	0	0	(48,400)
S2716	Food Waste Services	Jane Savage	(3,400)	0	(3,400)	0	0	0	(3,400)
S3001	Electoral Registration	Neil Hawke	135,400	0	135,400	3,300	0	7,500	146,200
S3030	Staff Forum	Lesley Crocker	5,000	0	5,000	0	0	0	5,000
S3041	Communications & Media	Lesley Crocker	69,430	0	69,430	3,000	0	(6,400)	66,030
S3050	Democratic Representation & Management	Darryl White	311,754	0	311,754	0	0	0	311,754
S3051	Member Support & Democratic Services	Darryl White	89,900	(9,300)	80,600	4,300	0	(1,300)	83,600
S4200	Insurance	Neil Hawke	329,040	0	329,040	0	0	0	329,040
S4511	Building Control Services	Jane Savage	57,800	0	57,800	0	0	0	57,800
			4,824,881	36,831	4,861,712	(132,074)	(80,000)	(200)	4,649,438

d)	Strategic Finance	Budget Manager	19/20 Base Net Budget	19/20 Virements	19/20 Revised Net Budget	20/21 Pressures/ (Savings)	20/21 Budget Preparation Virements	20/21 Salary Estimate Virements	20/21 Final Base Budget
			£'s	£'s	£'s	£'s	£'s	£'s	£'s
S4009	Non Distributed Costs	Lisa Buckle	760,200	0	760,200	(150,000)	0	(71,000)	539,200
S4010	Inflation/Pension Provision	Lisa Buckle	(12,561)	12,561	0	2,300	0	(2,300)	0
S4011	Steady State Review	Lisa Buckle	12,800	0	12,800	0	0	(12,800)	0
S6021	Council Tax Support Grant	Lisa Buckle	74,658	0	74,658	(37,000)	0	0	37,658
			835,097	12,561	847,658	(184,700)	0	(86,100)	576,858

Note 1: Following the Management restructure in 2019/20 the salary costs for these members of staff have been aggregated into two specific cost centres for the Senior Leadership Team and Extended Leadership Team.

Note 2: The Leisure savings reflect the gross position in 2020/21, taking into account the borrowing costs on the Leisure Investment. A net saving of £165,000 has been built into the 2020/21 budget.

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Sensitivity analysis and risk analysis of the Medium Term Financial Strategy (MTFS)

1. The budget assumes approximately £7.5 million of income from fees and charges, recycling and investments. Whilst this assumption is realistic, given the position of the economy there is a risk that income could fall or be less than anticipated. A 5% reduction in income would result in a loss of £375,000.
2. The MTFS relies on proposed savings over the next 5 years of £1,544,000. A 5% reduction in the savings would equate to £77,200.
3. The MTFS assumes budget pressures over the next 5 years of £3.5 million. A 5% increase in the budget pressures would equate to £175,000.
4. Council Tax Income and New Homes Bonus have been modelled based on an extra 400 Band D Equivalent properties per annum increase. Each extra property attracts £1,400 in NHB. If this figure were to actually be say 350 properties (i.e. 50 properties less), this would mean that Council Tax Income would be £8,500 less and New Homes Bonus income would be £70,000 less.
5. Council Tax has been assumed in the MTFS to increase by the higher of £5 or 1.99% over each of the five years. For example, for 2020-21 this would equate to a Band D of £170.42 (an increase of £5). The additional council tax income this would generate is £192,500. If council tax for 2020/21 were to remain at £165.42, the income from council tax would be overstated by this amount in the MTFS.
6. If Council Tax income collection fell by 1% (collection in 18/19 was 98.2% – the national average was 97%), this would mean a reduction of council tax income of around £66,000. Similarly if Business Rates income collection fell by 1% (collection in 18/19 was 98.4% - the national average was 98.3%), this would mean a reduction in business rates income of £19,000.
7. Income from investments has been assumed to increase in line with the expected interest rate forecasts. A 0.25% variation in interest rates on investment income equates to £60,000.

Borrowing Levels

Exempt Appendix G of the Medium Term Financial Strategy from last year (approved September 2018) gave advice on the borrowing level for the Council and the Interest payments on the borrowing as a percentage of available Reserves. The tables below show the impact that a change of Interest payable at 3% on borrowing has on this Indicator.

Total Borrowing	Interest repayments at 3%	Level of Reserves (£1.9m Unearmarked Reserves and £10.3m Earmarked Reserves) – predicted levels at 31.3.2020	Interest payments (at 3%) as % of available Reserves
£75m	£2,250,000	£12,200,000	18.4%

8. An allowance of 2.5% for inflation is included in the budget. Inflation costs are being managed through cost effective procurement.
9. The capital programme is funded by receipts, grants, and contributions. Realistic assumptions about these have been made for the future.
10. Known liabilities have been provided for and there are no significant outstanding claims.

Summary & conclusion

Sensitivity analysis and risks are identified above with a potential total adverse revenue effect for 2020/21 of **£1.04 million**. However, revenue reserves are recommended to be maintained at a minimum of £1.5 million. I therefore confirm the robustness of the Medium Term Financial Strategy and the adequacy of the reserves.

Mrs Lisa Buckle, Corporate Director for Strategic Finance (S151 Officer)

NOT FOR PUBLICATION

This report contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (applies to Appendix B)

Report to: **Council**
Date: **13 February 2020**
Title: **Capital Budget Proposals for 2020/21**
Portfolio Area: **Budget Proposals – Cllr Pearce**
Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Author: **Lisa Buckle** Role: **Corporate Director for Strategic Finance (S151 Officer)**

Contact: **Tel. 01803 861413**
Email: lisa.buckle@swdevon.gov.uk

Recommendations:

That Council be RECOMMENDED to approve:-

- a) The Capital Programme for 2020/21, which totals £2,480,000 (Appendix A)
- b) The Capital Programme for 2020/21, which totals £1,250,000 (Exempt Appendix B)
- c) The financing of the 2020/21 Capital Programme of £3,730,000 from the funding sources set out in Section 4.

1. Executive summary

1.1 The report sets out the Capital Bids to the 2020/21 Capital Programme totalling £3,730,000 and a suggested way that these Bids can be funded. All items in this proposed Capital Programme are based on budget estimates and will be subject to the normal project appraisal procedures.

1.2 The Council has limited resources, in the form of capital receipts, to fund Capital Projects in 2020/21.

Consideration needs to be given to the funding options for the 2020/21 Capital Programme. The Capital Programme is set by the Council and may be funded by sale proceeds from the disposal of assets (capital receipts), external grants and contributions, directly from revenue or from borrowing.

1.3 The Prudential Code for capital, which came into effect from 1st April 2004, replaced the previous Government regulated limits on capital expenditure and borrowing. In its place Councils now have the power to determine their own appropriate levels of capital expenditure and borrowing for capital purposes, based on the principles of affordability, prudence and sustainability.

1.4 The Code requires the Council, in setting its capital spending plans, to assess the impact on its revenue account and council tax levels. Section 4 demonstrates that there are sufficient capital funds (which includes PWLB borrowing mainly for commercial acquisitions) in 2020/21 to fund the bids which have been submitted by project officers within the Council.

2. Background

2.1 The capital programme for 2019/20 was approved by Council on 21 February 2019 (54/18 and E.72/18 refer).

2.2 A new Capital Programme is proposed for 2020/21. The Head of Finance Practice invited bids for capital funding from all service areas, for a new capital programme during September 2019 on the strict proviso that all bids must go towards meeting a strategic priority. All capital bids received would be ranked against a prescribed priority criteria set out in the bid process.

2.3 The submitted capital bids have now been assessed against the categories in each priority. Priority I categories include meeting strategic priorities and statutory obligations (e.g. Health and Safety, DDA etc) and other capital works required to ensure the existing Council property assets remain open. Priority 2 categories link to good asset management whereby the capital work proposed would either generate capital/revenue income or reduce revenue spending. A capital bid that will enable rationalised service delivery or improvement is also considered a Priority 2 category to meet the Council's aims and objectives.

2.4 The programme outlines the principles of the projects proposed for capital expenditure and includes an estimate of predicted costs including fees. All projects will be subject to project appraisals as required under the Council's Asset Strategy.

2.5 The Draft Capital Budget Proposals were considered by the Joint Development Management Committee and Overview and Scrutiny Panel at their meeting on 23rd January. A copy of the minute from their meeting is shown below:

OSDM.4/19 **CAPITAL BUDGET PROPOSALS FOR 2020/21**

Members considered a report that set out the Capital Bids to the 2020/21 Capital Programme and outlined a suggested way that these Bids could be funded.

It was then:

RECOMMENDED

That the Joint Meeting RECOMMEND that the Executive RECOMMEND to Council that:-

1. The content of the Capital Programme Proposals for 2020/21 that totals £2,480,000 (as set out in Appendix A of the presented agenda report) be supported;
2. the content of the Capital Programme Proposals for 2020/21 that totals £1,250,000 (as set out in exempt Appendix B of the presented agenda report) be supported; and

3. the proposed financing of the 2020/21 Capital Programme of £3,730,000 from the funding sources (as set out in Section 4 of the presented agenda report) be supported.

2.6 The Capital Budget Proposals were also considered by the Executive on 6 February 2020. The same recommendations (as 2.5) were made to Council in 13 February 2020 (Minute E.75/19).

3. Outcomes/outputs

Members are requested to give their views on the proposals for the Capital Programme for 2020/21. Appendix A and exempt Appendix B set out the bids which total £3,730,000.

3.1 Capital Programme 2020/21

3.2 Play Parks – replacement of play equipment

A capital budget of £140,000 is required in 2020/21. Contracts have been awarded for the supply and installation of play equipment at eight play areas across the South Hams. The play areas in question are all in need of replacement/upgrading and the primary objective is to secure the design of attractive, imaginative and low maintenance new play spaces making best use of the sites.

This project marks the first phase of an improvement scheme of SHDC owned play areas agreed by the SHDC Public Spaces Working Group. 2020/21 will be year 3 of a three year programme as shown below:

Capital budget for Play Parks (2017/2018 and 2019/20 approved, 2020/21 budget to be confirmed)

2017/18	2018/19	2019/20	2020/21	Total
£190,000	Nil	£190,000	£140,000	£520,000

There are currently commitments totalling £380,000 against the play parks budget to date.

3.3 Follaton House – roof repairs

The proposed capital programme includes a contribution of £50,000 into a reserve for Follaton House roof repairs. £50,000 per annum is transferred to this fund which has a current balance of £200,000.

Roofing repairs are required on the Old House which includes the localised replacement of defective slate and lead valleys. Defective guttering on Phases 1, 2 and 3 also needs replacing.

3.4 Follaton House – Replacement Lifts

The proposed capital programme includes a contribution of £30,000 into a reserve for replacing lifts at Follaton House. The balance in this fund is £30,000, 2019/20 being the first year.

There are two lifts which are maintained under contract and regularly serviced. They are increasingly requiring repair and lift engineers have advised that parts are becoming increasingly obsolete. Replacements will be required in the next few years.

3.5 New Waste Containers

A report on Frontline Services (Waste and Cleansing Procurement) was presented to Council in December 2018. Containers are required for the Devon aligned service which will be implemented in September 2020. This budget has already been approved by Members and has been included here for completeness (Minute C41/18 refers).

3.6 Waste Fleet Replacement

A report on Frontline Services (Waste and Cleansing Procurement) was presented to Council in December 2018. The Waste Fleet is a Council asset which is maintained and repaired by the Waste Contractor, FCC. The Council and FCC liaise over the timing of purchasing vehicle replacements. Contributions are made into the Vehicle Replacement Reserve annually and are sufficient to fund all replacements until the end of the contract term. The proposed capital programme includes the annual contribution of £550,000. This budget has already been approved by Members and has been included here for completeness (Minute C41/18 refers).

A climate change action plan was presented to Members at the Council meeting on 19th December, 2019. This action plan includes future considerations around the Council's fleet.

3.7 New Sub Lift at Salcombe

The 2018/19 and 2019/20 capital budgets included a contribution into a reserve towards the purchase of a new sub lift. The proposed capital programme includes a further contribution in 2020/21 when sufficient funds will be available to purchase the sub lift.

3.8 Steamer Quay, Totnes – Office Development

A capital budget was approved in 2019/20 for a new office development at Steamer Quay, Totnes with a proposal for additional funds in the 2020/21 capital budget. Architects are currently working up a design during the pre application process.

3.9 Batson, Salcombe - Harbour Workshop

In 2019/20 a capital budget was approved for a new Harbour workshop at Batson with a proposal for additional funds in the 2020/21 capital budget.

In 2019 SHDC gained planning permission for the creation of a new harbour master's depot to be located within the Batson Quay Car Park, Salcombe.

The new harbour depot facility will accommodate workshops to allow the Authority's staff to undertake regular maintenance and repair of their vessels. The depot will facilitate the Authority's ability to organise and monitor all harbour-based activities, such as checking moorings, ensuring safety and the maintenance of existing marina facilities.

Final costs exceed the total of the budget allocation from 2019/20 and the proposed amount for 2020/21. The decision has therefore been taken to delay the project for 12 months to enable value engineering to be explored and ensure business continuity is provided this winter.

3.10 Coastal Assets repairs - 5 year planned programme

Historically maintenance of coastal assets was carried out on a reactive basis. In 2015/16, following a comprehensive condition survey, a proposal was put forward for a five year programme of planned coastal asset repairs with a budget of £300,000 per annum. 2019/20 was the final year of the 5 year programme.

A budget of £300,000 per annum for a further 5 year programme is proposed. The re-survey of all coastal assets is currently underway with delivery due by the end of the financial year. This will allow for a further five year maintenance plan to be developed.

3.11 New Entrance, Batson Creek Car Park

A capital budget provision for a new entrance to Batson Creek Car Park was approved in 2019/20. A further provision is required in 2020/21. This relates to alteration of the car park entrance and spaces layout such that any development within the car park footprint does not result in any loss of capacity. There will also be a requirement to create space for the recycling facilities at Batson through the creation of a hard standing area adjacent to the existing site.

3.12 Cliff House Gardens, Salcombe

A structural report is required and a structural engineer will be appointed to assess and identify whether remedial works are required.

3.13 Public Conveniences – Wallgate (hand-washing) Replacements

The proposed capital programme includes a contribution of £10,000 per annum into a reserve for the replacement of Wallgate hand washing facilities. A number of Wallgates are reaching the end of their 25 year lives and will need to be replaced. Wallgates (hand washing facilities) are situated in public conveniences throughout the South Hams and provide an all in one solution to hand washing facilities and make savings in relation to water, energy efficiency and provide a more practical, eco-friendly and economical hand washing facility.

3.14 Totnes Skate Park

Officers are currently working with the Community to secure capital funding towards a replacement skate park within the SHDC owned Borough Park in Totnes.

This includes an Expression of Interest pending with the National Lottery. Officers hope to deliver a new skate park in 2020/21 financial year subject to a full funding package.

3.15 Private Sector Renewals (including Disabled Facilities Grants)

This budget is used to fund Private Sector Renewals, primarily Disabled Facilities Grants (DFG's). DFG's are mandatory, means tested and enable people to live independently within their own home. Adaptations range from simple stair lifts and Level Access Showers through to full extensions.

The budget of £1,100,000 will be funded from the Better Care Fund (Government Grant). The demand for DFG's is not under our control and cannot be predicted at this stage.

3.16 Contingency

It is proposed that a contingency budget of £300,000 be included in the capital programme.

This has been included to allow for variations on tendered prices to the estimates provided in the programme, where emergency works are required on assets not currently included in the programme or where additional external resources are required to deliver the programme.

Use of this contingency budget will be subject to the Council's existing processes for the expenditure of capital funds.

4 FINANCING THE CAPITAL PROGRAMME

4.1 Capital bids shown in Appendix A total £2,480,000 with the total of bids in exempt Appendix B being £1,250,000. Funding of £3,730,000 is therefore required. The table below shows the recommended way that these projects are financed:-

Capital Programme 2020/21 <i>Appendix A (£2,480,000) and Appendix B bids (£1,250,000)</i>	£ 3,730,000
Funded By:	
Capital Programme Reserve (See Note 1 below – this includes the 20/21 allocation of £181,600 plus previous funds unallocated)	265,100
Vehicle & Plant Renewals Reserve*	550,000
Capital Receipts	714,900
Better Care Grant funding towards Disabled Facilities Grants (estimated)	1,100,000
Borrowing – Waste and Cleansing Procurement (purchase of containers for the Devon aligned service)*	500,000
Borrowing – development opportunities (this is a proportion of the total PWLB borrowing for the projects shown within the South Hams Commercial Developments report and relates to the capital expenditure in the 20/21 year only) – Steamer Quay/Batson Workshop	600,000
TOTAL	3,730,000

* This funding has already been approved by Council on 6th December 2018 as part of the report on Frontline Services (Waste and Cleansing Procurement) Council Minute C41/18.

Note 1 – The current proposed funding of the Capital Programme includes the Council continuing to make a revenue contribution to the Capital Programme Reserve in 2020/21 of £181,600.

5. IMPLICATIONS

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/ Governance	Y	<p>The Executive is responsible for control of the Council's capital expenditure. The Head of Finance and Assets Practices are responsible for providing Capital Monitoring reports to the Executive, detailing the latest position of the Council's Capital Programme. Council is responsible for setting the Capital Programme and approving the Capital Budget, following consideration and recommendation from the Executive.</p> <p>It is the role of the Joint Development Management Committee and Overview and Scrutiny Panel to scrutinise the Budget proposals being proposed by the Council on an annual basis.</p> <p>Since there is commercially sensitive information in Appendix B, regarding the budgets for individual projects, there are grounds for the publication of this Appendix to be restricted, and considered in exempt session.</p> <p>The public interest has been assessed and it is considered that the public interest will be better served by not disclosing the information in Appendix B. Accordingly this report contains exempt Information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.</p>
Financial Implications to include reference to Value for Money	Y	<p>The report sets out the Capital Bids to the 2020/21 Capital Programme totalling £3,730,000 and a suggested way that these bids can be funded. All items in this proposed Capital Programme are based on budget estimates and will be subject to the normal project appraisal procedures.</p>

		<p>Section 4 demonstrates that there are sufficient capital funds (which includes PWLB borrowing of £1.1m) in 2020/21 to fund the bids which have been submitted by project officers within the Council.</p> <p>The regular monitoring of the Capital Programme ensures the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources.</p>
Risk	Y	<p>There is a risk that the Capital Programme does not meet the Council's strategic priorities in line with the Council's Asset Strategy and the opportunity to assess emerging projects, which could contribute to the Council's priorities. The mitigation is that there is a project appraisal for each proposal.</p> <p>This is taken into account when assessing possible implementation timescales. Complex capital programmes have a relatively long lead-in period. The Council demonstrates that capital investment contributes to strategic priorities, provides value for money and takes account of the revenue implications of the investment. Regular monitoring of the capital programme and consideration of new pressures enables Members to control the programme and secure appropriate mitigation where problems arise.</p> <p>There is regular quarterly monitoring of the Capital Programme to Members where any cost overruns are identified at an early stage</p>
Supporting Corporate Strategy		<p>The Capital Programme supports all six of the Corporate Themes of the Council, Homes, Enterprise, Communities, Environment and Wellbeing.</p>

Climate Change - Carbon / Biodiversity Impact		A climate change action plan was presented to Members at the Council meeting on 19 th December, 2019. This action plan includes future considerations around the Council's fleet.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None directly arising from this report.
Safeguarding		None directly arising from this report.
Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices:

Appendix A – Summary of Capital Bids for 2020/2021

EXEMPT - Appendix B – Summary of exempt Capital Bids for 2020/2021 (table)

Background papers

Capital Programme for 2020/21 – Executive 6th February 2020

Capital Programme for 2020/21 - Joint Development Management Committee and Overview and Scrutiny Panel meeting on 23rd January 2020

Capital Programme for 2020/21 – Executive 19 December 2019

Capital Programme for 2019/20 - Council 21 February 2019 (54/18 and E.72/18 refer).

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Heads of Practice sign off (draft)	Yes
Data protection issues considered	Yes
Accessibility checked	Yes

Appendix A

Proposed Capital Projects 2020/21 - 2022/23 - PART I							
Priority Criteria							
Statutory Obligations	1		Compliance, H&S, DDA				
	2		Essential to keep Operational Assets open				
Good Asset Management	3		Rationalise service delivery or service improvement				
	4		Generate income, capital value or reduce revenue costs				
Service	Site	Project	Lead officer	Proposed 2020/21 £'000	Proposed 2021/22 £'000	Proposed 2022/23 £'000	Priority code / notes
	Play Parks	Replacement equipment	RS	140			1,2
HQ	Follaton House	Refurbishment of roof to old house and replacement guttering	ST	50	50	50	1,2
	Follaton House	Replacement Lifts	ST	30	30	30	1,2
Engineering	SHDC Coastal Assets Repairs	5 year planned programme based on marine survey	CB	300	300	300	1
Commercial Services		Waste Fleet Replacement	JS	550	550	550	1,2,3
Commercial Services	Public Conveniences	Replacement programme of hand washing facilities within the public conveniences (Wallgates)	CA/EW	10	10	10	1,2
Public Sector Renewals (inc Disabled Facility Grants)			IL	1,100	1,100	1,100	1
Sub Total				2,180	2,040	2,040	
Contingency				300	300	300	

Totals	2,480	2,340	2,340	
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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
4 DECEMBER 2019**

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr K Kemp
*	Cllr J Brazil Chairman	*	Cllr M Long
*	Cllr D Brown	*	Cllr G Pannell
*	Cllr R J Foss	*	Cllr K Pringle
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr T R Holway	*	Cllr B Taylor

Other Members also in attendance and participating:

Cllrs J McKay, B Spencer and J A Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		HOP Development Management; Planning Senior Specialist; Planning Specialists; Deputy Monitoring Officer; and Specialist – Democratic Services
	3460/17/OPA	Flood Risk Manager, DCC
	2198/19/FUL	DCC Highways Officers
	1329/19/FUL	Specialist Strategic Planning

DM.39/19

MINUTES

The minutes of the meeting of the Committee held on 6 November 2019 were confirmed as a correct record and signed by the Chairman.

DM.40/19

DECLARATIONS OF INTEREST

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

Cllrs T Holway declared a personal interest in application **3460/17/OPA: READVERTISEMENT (Revised Plans Received) Outline application** with some matters reserved for 7 self-build/custom build dwellings (five open market and two affordable self-build plots), by virtue of knowing the applicant and the neighbours. He remained in the meeting and took part in the vote thereon;

Cllr K Kemp declared a personal interest in application **0545/19/FUL: Demolition and rebuild of 2 existing dwellings – Hill Cottage, Herbert Road, Salcombe**, by virtue of knowing the applicant. She remained in the meeting and took part in the debate and vote thereon;

Cllrs R Rowe and B Taylor each declared a personal interest in the following planning applications that were sited within the South Devon AONB by virtue of being Members of the South Devon AONB Partnership Committee and they remained in the meeting and took part in the debate and vote thereon:

2101/19/FUL: Demolition of hotel (14 guest bedrooms, 4 staff bedrooms, indoor swimming pool, lounge/bar/dining areas etc) and construction of mixed use development of 9 serviced short term holiday let apartments (providing total of 16 bedrooms), 1 unit of managers accommodation and 5 residential apartments (resubmission of 2066/18/FUL) – Lantern Lodger Hotel, Grand View Road, Hope Cove;

0545/19/FUL: Demolition and rebuild of 2 existing dwellings – Hill Cottage, Herbert Road, Salcombe;

2416/19/FUL: Provision of a menage – Land at SX 903 518, Kingswear.

DM.41/19

PUBLIC PARTICIPATION

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

DM.42/19

PLANNING APPLICATIONS

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

- a) **3460/17/OPA** **Lutterburn Farm, Lutterburn Street, Ugborough**
Parish: Ugborough

Outline application with some matters reserved for 7 self build/custom build dwellings (five open market and 2 affordable self-build plots)

Case Officer Update: The Case Officer noted that further information had been submitted and circulated, and advised that the Flood Authority representative was in attendance to respond to questions

Recommendation: Delegate to the HOP Lead Development Management in consultation with the Chairman to conditionally approve planning permission, subject to a section 106 legal obligation.

However, in the event that the Section 106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the HOP Lead Development Management, in consultation with the Chairman of the Committee, and if no progress is being made, delegated authority is given to the HOP Lead to refuse the application in the absence of an agreed s106 Agreement.

During discussion, the Flood Authority representative responded to a number of questions of clarity. The local Ward Member stated that the proposed drainage scheme for the development had no prospect of achieving the desired result, as it was dependent on use of third party land, for which permission would not be given.

The Flood Authority representative advised that Ugborough was not high enough as a priority to receive funding from Defra towards a flood alleviation scheme, and therefore the Flood Authority would not be in a position to undertake flood mitigation works until at least 2021. The proposal before Members enabled flood alleviation work to be undertaken by a developer, more quickly.

The local Ward Member stated that a scheme had been previously proposed that included flood alleviation work being undertaken on the applicant's land. The HOP Lead confirmed that the proposal could not be approved subject to a condition stating that flood alleviation work must be carried out on the applicant's land. The Solicitor confirmed that refusal of the application on the basis of the proposed scheme not being achievable because of the objection of landowners was not a route that she recommended, and Members should proceed with caution.

Finally, Members agreed that they wanted to support the proposal, but would delegate final approval, subject to approval of a drainage scheme, (as previously submitted), between the applicant and the flood authority, and the HOP Lead, Chairman and local Ward Member.

Committee Decision: Delegate to the HOP Lead Development Management in consultation with the Chairman to conditionally approve planning permission, subject to the HOP Lead, Chairman and local Ward Member, and the applicant and Flood Authority, DCC approval of a drainage scheme

Conditions:

1. Reserved matters time
2. Reserved Matters details
3. Accord with plans
4. Surface water drainage strategy prior to commencement
5. Surface water adoption and maintenance strategy prior to commencement
6. Construction phase drainage strategy prior to commencement
7. Details of connection to and condition of receiving watercourse prior to commencement
8. Ecological Mitigation and Enhancement Strategy incorporating recommendations of the PEA
9. TEMS Mitigation Strategy
10. Landscape Plan prior to commencement
11. CEMP prior to commencement
12. Accord with details of Arboricultural Work and Tree Protection Plan
13. Highways details prior to commencement
14. Highways construction infrastructure prior to commencement

15. Unsuspected contamination
16. Written Scheme of Investigation
17. Finished floor levels of plot 6
18. Site road and ground levels across flood zone
19. No piping of western watercourse channel
20. No external lighting to be erected upon dwellings without agreement of details with LPA.
21. Accord with LEMP
22. Details of tree retention
23. Dev32 compliance
24. Flood Emergency Plan
25. Submission of revised LDC

b) 2101/19/FUL Lantern Lodge Hotel, Grand View Road, Hope Cove

Parish: South Huish

Demolition of hotel (14 guest bedrooms, 4 staff bedrooms, indoor swimming pool, lounge/bar/dining areas etc.) and construction of mixed use development of 9 serviced short term holiday let apartments (providing total of 16 bedrooms), 1 unit of managers accommodation and 5 residential apartments (resubmission of 2066/18/FUL)

Case Officer Update: None

Speakers included: Objector – Mr Ron Cole: Supporter – Mr Mark Evans: Parish Council representative – Cllr Alan Cooper: Ward Member – Cllr Baldry

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions

1. Time
2. Accords with plans
3. Details of a minimum of 10 integral nest sites (swift bricks) to be agreed and provided
4. Parking and turning to be provided and retained
5. Material details and samples for external materials including roof, fascia, render type and balcony balustrades.
6. Hard and soft landscape scheme (full details of species, sizes, densities and locations of plants) to include the retention and enhancement of the existing boundary hedgerow, and material samples of hard landscaping. Scheme to be based on Landscape Concept Plan CD/C/553-01 D.
7. No works to or removal of boundary vegetation until a management plan has been submitted to and approved in writing by the LPA.
8. Hedge and tree protection

9. A lighting strategy, to include locations, fixtures, lumens, and measures to reduce light spill for any external light fixtures.
10. Unsuspected contamination
11. CEMP
12. Provision of electric vehicle charging points
13. Details of levels
14. Holiday use restriction on the 9 holiday let apartments
15. Owner's accommodation to be used by person who is mainly occupied in the management of the holiday units.
16. Pre-commencement – adoption and maintenance of drainage
17. Pre-commencement – detailed surface water drainage management scheme
18. Pre-commencement – construction phase surface water drainage management scheme
19. Pre-commencement – evidence agreed discharge rates with SWW
20. Travel plan for staff.
21. Full details of living walls including supplier, construction detail, proposed planting medium and plants and a maintenance schedules for life of wall.
22. Details of any ancillary structures including any fencing, gates, signage, sculptural features.
23. Louvres on first and second floor east facing windows to be provided prior to occupation and to be retained and maintained
24. During discussion, an additional condition was added that would prevent parking of cars and boats on the lawned area at the front of the building, other than the four overflow spaces already included.

c) 0545/19/FUL Hill Cottage, Herbert Road, Salcombe

Parish: Salcombe

Demolition and rebuild of 2 existing dwellings

Case Officer Update: None

Speakers included: Objector – Mr Martin Trenchard: Supporter – Mr Mark Evans: Ward Members – Cllrs Long and Pearce

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time Limit
2. Approved Plans
3. Materials
4. Obscure glazing
5. Surfacing
6. Boundary Treatment
7. Landscaping
8. Drainage details

9. Unexpected contamination
10. During discussion, Members requested an additional condition that would require landscaping on the side elevations of the proposal
11. During discussion, Members requested an additional condition to protect the tree at the front of the property
12. During discussion, Members requested an additional condition relating to details of the balcony

d) 2416/19/FUL Land at SX903 518, Kingswear

Parish: Kingswear

Provision of a manege

Case Officer Update: The Case officer apologised for errors in the report in the spelling of manege, in that the incorrect map had been attached, and the Parish Council representation had not been included

Speakers included: Supporter – Mrs Amanda Burden: Parish Council representative – Cllr Hector Newcombe: Ward Members – Cllr Hawkins (statement read) and Cllr Rowe

Recommendation: Refusal

During discussion, a number of Members were of the view that the proposal would not be visible, particularly with the proposed landscaping in place. Members also agreed that the proposal should be approved for reasons of highway safety.

Committee Decision: Conditional Approval

Reasons:

In the interests of road safety, reduction in carbon arising from reduced travel, improving and enhancing the AONB with the additional landscaping and biodiversity

Conditions (final wording to be agreed with HOP, Ward Members and Chairman)

Standard Time
 Standard Plans
 Not for commercial use
 Additional landscaping
 Land returned if no longer used
 Drainage details
 No outside lighting

e) 2198/19/FUL Post Barn, Ashprington Cross, Ashprington**Parish: Ashprington**

Cladding of existing gate and topping off of stone wall (Retrospective)

Case Officer Update: None

Speakers included: Objector - Ms Jo Cooke; Supporter – Mrs Amanda Burden; Parish Council representative – Cllr Lydia Stocks; Ward Member – Cllr John McKay

Recommendation: Conditional Approval

Members had a detailed discussion on this item, and, having attended the site inspection, were concerned about road safety. A plan was shown that moved the wall, but the plan was connected to an earlier application that had since been superseded. There were discussions about the most appropriate height for a wall in that position, whilst accepting that a hedge could be grown with no limit on height. Throughout the discussion the overriding sense was that the application should be refused on the grounds of highway safety and the subsequent vote was unanimous.

Committee Decision: RefusalReasons

The increase in height of the wall has reduced visibility at a junction on a Class C County Road resulting in an unacceptable impact on highway safety, contrary to paragraph 109 of the National Planning Policy Framework; and Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2024.

f) 1329/19/FUL Commercial/Office unit, Endsleigh Park, Ivybridge**Parish: Ermington**

Construction of commercial/office building (Class B1), with associated car parking, access and landscaping

Case Officer Update: Letter of representation received from Ivybridge Town Council – read in full

Speakers included: Supporter – Mr Nick Toms; Ward Member – Cllr T Holway

Recommendation: Refusal

During discussion, some Members were of the view that the existing units resulted in the proposal not being development within a countryside location.

There were a significant number of new houses in Ivybridge, and this proposal would provide employment within walking distance. The recent Climate Change declaration supported this development by providing employment in a sustainable location, even though it had not been included as an employment site within the Joint Local Plan.

Committee Decision: Conditional Approval

Reasons:

Supporting a rural and sustainable employment site under DEV15

Conditions: (to be agreed with HOP, Chairman and Ward Members)

g) 2948/19/FUL **Land adjacent Sea View, West Hill, Heybrook Bay**

Parish: Wembury

Case Officer Update: An additional condition should be included for details of retaining wall for driveway to be submitted and agreed

Speakers: Objector – Mrs Nicola Cuthbert; Supporter – Mrs Maureen Smith; Ward Member – Cllr Brown

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. 3 year time limit for commencement
2. Development to be carried out in accordance with approved details
3. Sample of natural slate to be provided
4. Details of render to be provided
5. Details of joinery to be provided
6. Wall to be constructed from natural stone
7. Rooflights to be flush fitting
8. Tamar EMS
9. Compliance with drainage scheme
10. Retention of garage for parking/not be used for habitable accommodation
11. Construction and Environmental Management Plan (prior to commencement)
12. Development to accord with recommendations in ecology report
13. No external lighting
14. Removal of PD rights
15. Compliance with landscape scheme
16. Unsuspected land contamination
17. Carbon reduction measures to be implemented prior to occupation

h) 0379/19/FUL Land on east side of New Road, Bickleigh**Parish: Bickleigh**

Erection of new dwelling, landscape enhancements and associated works

Case Officer Update: None

Speakers included: Objector – Mr Duncan Tilney; Supporter – Mr Richard Hawkes; Ward Member – Cllr Spencer

Recommendation: Conditional Approval

During discussion, Members had differing views on this application. Some members felt that the development would be an intrusion in the landscape, and that the proposal was not exceptional enough to be approved under Para 79 of the JLP. Other Members thought the proposal was exciting and the carbon neutrality of the design made it exceptional.

Committee Decision: Refusal

Reasons:

1. The proposed development would not meet the requirements of Paragraph 79 in that it is not sufficiently innovative and does not significantly enhance its immediate setting and therefore is an unsustainable unsupported development.
2. The proposed development would have a detrimental impact on the ecology, in particular on the identified bat species.

DM.43/19 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report.

The Head of Development Management provided further details on specific recent appeal decisions.

(Meeting commenced at 9.30am and concluded at 17.10pm)

 Chairman

Voting Analysis for Planning Applications – DM Committee 4 December 2019

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
3460/17/OPA	Lutterburn Farm, Lutterburn Street, Ugborough	Conditional Approval	Cllrs Pannell, Abbott, Foss, Kemp, Long, Brown, Rowe, Taylor, Pringle (9)	(0)	Cllrs Hodgson and Rowe (by virtue of not being in attendance for the presentations at the previous meeting (2)	Cllr Brazil (1)
2101/19/FUL	Lantern Lodge Hotel, Grand View Road, Hope Cove	Conditional Approval	Cllrs Pannell, Abbott, Foss, Brown, Holway, Pringle, Rowe and Taylor (8)	Cllrs Hodgson, Kemp, Long (3)	(0)	Cllr Brazil (1)
0545/19/FUL	Hill Cottage, Herbert Road, Salcombe	Refusal	Cllrs Long, Foss, Brown and Pringle (4)	Cllrs Pannell, Hodgson, Kemp, Holway, Rowe, Brazil, Abbott and Taylor (8)	(0)	(0)
0545/19/FUL	Hill Cottage, Herbert Road, Salcombe	Conditional Approval	Cllrs Pannell, Hodgson, Kemp, Holway, Rowe, Brazil, Abbott and Taylor (8)	Cllrs Long, Foss, Brown and Pringle (4)	(0)	(0)
2416/19/FUL	Land at SX 903 518, Kingswear	Conditional Approval	Cllrs Foss, Hodgson, Long, Kemp, Abbott, Brown, Taylor, Rowe, Holway and Pringle (9)	Cllrs Pannell and Brazil (2)	(0)	(0)
2198/19/FUL	Post Barn, Ashprington Cross, Ashprington	Refusal	Cllrs Holway, Foss, Brazil, Abbott, Pannell, Long, Pringle, Hodgson, Rowe, Taylor and Brown (11)	(0)	(0)	Cllr Kemp (1)
1329/19/FUL	Commercial/Office Unit, Endsleigh Park, Ivybridge	Conditional Approval	Cllrs Holway, Abbott, Long, Pringle, Hodgson, Rowe and Taylor (7)	Cllrs Brazil, Pannell and Foss (3)	(0)	Cllrs Kemp and Hodgson (2)
2948/19/FUL	Land adjacent Sea View, West Hill, Heybrook Bay	Conditional Approval	Cllrs Holway, Foss, Brazil, Abbott, Pannell, Long, Pringle, Rowe and Taylor (9)	(0)	Cllr Brown (1)	Cllrs Kemp and Hodgson (2)
0379/19/FUL	Land on East Side of New Road, Bickleigh, Plymouth	Conditional Approval	Cllrs Brazil, Abbot, Foss and Brown (4)	Cllrs Pannell, Long, Rowe, Taylor, Holway and Pringle (6)	(0)	Cllrs Kemp and Hodgson (2)
0379/19/FUL	Land on East Side of New Road, Bickleigh, Plymouth	Refusal	Cllrs Pannell, Long, Rowe, Taylor, Holway and Pringle (6)	Cllrs Brazil, Abbot, Foss and Brown (4)	(0)	Cllrs Kemp and Hodgson (2)

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 19 DECEMBER 2019**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr K J Baldry	*	Cllr N A Hopwood
*	Cllr H D Bastone (Vice Chairman)	*	Cllr D W May
*	Cllr J D Hawkins	*	Cllr J A Pearce (Chairman)

Also in attendance
Cllrs Abbott, Birch, Rowe, Chown, Spencer, Taylor, Kemp, Long, Holway, Pennington, Smerdon, Foss and Brazil

Officers in attendance and participating		
All items		Deputy Chief Executive, s151 Officer, Director of Place and Enterprise and Specialist Democratic Services
Item 11 & 12	E.63/19 & E.64/19	Commissioning Manager

E.55/19 MINUTES

The minutes of the Executive meeting held on 31 October 2019 were confirmed as a true and correct record and signed off by the Chairman.

E.56/19 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 but none were made.

E.57/19 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 set out in bold, and were circulated at the meeting.

From Ella Dangerfield:

I have a question relating to the recent publication of the Climate and Biodiversity Action Plan:
Residential housing is the main source of carbon emissions over which this Council has direct control. Local Fuel Poverty levels are high and increasing. So why has this Council chosen not to improve the construction standards in its Joint Local Plan to address this?

The Joint Local Plan has recently been adopted and contains a range of policies that will support the climate change agenda. The Council already supports improving existing housing stock through a range of initiatives including the Energy Company Obligation and through the use of its Better Care Fund. The energy efficiency of new dwellings is controlled primarily through the Building regulations that are set nationally. It is hoped that there will be changes to the Regulations and the Council will, with its partners, look to lobby Government for changes that will support energy efficiency within new developments.

Supplementary question:

Councils are encouraged to set sustainable construction standards higher than NPPF ones and are entitled to improve sections of Local Plans annually if appropriate. Until 2015 the national target was zero-carbon housing by 2016. Why has a zero-carbon target not been discussed with the other partners to the JLP?

The Council is keen to secure improved construction standards to support its declaration of a Climate Change and Biodiversity Emergency. In view of this the Council will be discussing available options with its JLP partners as part of its adopted action plan.

From Guy Chapman:

The Council has now published its draft Climate Action Plan but it was written in secret and councillors were only allowed to see it a week ago. Which parts of the report were so sensitive that this level of secrecy was felt to be necessary?

The Climate Action Plan was not written in secret and has now been published in full as part of the report to Council on 19 December 2019. The Action Plan is a live document and will develop over time and, subject to the recommendations in the above report being adopted, be subject to wider consultation.

From David Cutting:

This Committee is today reviewing its Executive Forward Plan. As the Council has declared a Climate Emergency why does this Forward Plan not include relevant reviews of the Joint Local Plan and the 5 Year Corporate Strategy?

There is a report going to full Council setting out recommendations with regard to the Climate Change and Biodiversity Emergency. There is no recommendation to review the Corporate Strategy or the Joint Local Plan. The Corporate Strategy is a guiding document that sets the direction of the Council and Climate Change and Biodiversity considerations will naturally be applied as evidenced by the updated reporting template.

The Joint Local Plan can only be reviewed with the agreement of all three Councils. Currently they have all committed to reviewing and updating the Joint Local Plan within 5 years of adoption. The report to Council today does include a recommendation that a Strategy be presented back to full Council for approval on 21 May 2020.

Supplementary question:

As this Council describes the Climate Change and Biodiversity agenda as 'a golden thread throughout all of its work' why is there no proposal to mention it in the Corporate Strategy and why has there been no discussion with Plymouth and West Devon Councils about reviewing housing construction standards?

It is recognised that Climate Change and Biodiversity is a cross cutting issue and will form part of future decision making; this can be achieved without being explicitly mentioned in the Corporate Strategy. This does not in any way exclude its inclusion within any subsequent review of the Strategy.

The Council is keen to secure improved construction standards to support its declaration of a Climate Change and Biodiversity Emergency. In view of this the Council will be discussing available options with its JLP partners as part of its adopted action plan.

From Robert Vint:

I understand that the Overview & Scrutiny Committee of this Council was unable to scrutinise the drafting of the Climate Action Plan because it was drawn up in secret. How have local stakeholders and this Council's members, Committees and Working Groups contributed to the drafting of the Plan?

The Council set up a politically balanced Member working group to work with officers to draft the Action Plan. The Working Group report direct to Council and after a meeting on 5th December, to which all Members were invited, the Group unanimously agreed the Recommendations that are contained within the report that goes to Council on 19 December 2019. The Action Plan will, subject to approval, be open to wider consultation going forward.

Supplementary question:

What happened to the emerging draft Climate Action Plan and who was involved in reviewing it and determining its contents between the 26th July and the 5th December?

The content of the Action plan was developed by officers in advance of being taken to the Climate Change and Biodiversity Working Group on 5th December when it was unanimously approved. The Plan, which is a living document that will evolve over time, will be subject to public consultation and comment in the early part of 2020.

From Christopher Snow:

In July this Council agreed to carry out an “assessment of the viability of a 2030 target” for the South Hams to become carbon-neutral - a target adopted by many neighbouring councils. There is no viability assessment in the draft Climate Action Plan so why was this target rejected?

The Report to Council on 19 December 2019 contains two aims - 2030 for the Councils own operational carbon footprint and 2050 for the wider District – these are based on an initial assessment of their relative viability. Further work is needed with regard to both as detailed within the report and will be subject to an annual review.

From Barbara Phillips

I would like to ask the Executive committee what plans it has for working with businesses in the Retail, agricultural, manufacturing and tourism sectors within South Hams in order to educate, encourage and thereby facilitate reduction in Carbon emissions? Will they make use of local environmental experts?

Encouraging behaviour change within business and the wider community will be key to securing a reduction in carbon emissions and is included within various actions in the Action Plan. This also forms a major part of the emerging Devon Carbon Plan which will be able exert greater influence in these areas by virtue of its wide ranging membership. The Council will work with local partners and experts where it is deemed beneficial.

From Peter Scott

In July this Council agreed to consider the setting up of a Citizen’s Assembly to help draft its Climate Action Plan. Why was no Citizen’s Assembly set up and why is there no explanation in the Climate Action Plan as to why this option was rejected?

The setting up of a Citizens’ Assembly was discussed by the Climate Change and Biodiversity Member Working Group and it was determined that it was not the most appropriate course of action at the time. The Devon Climate Emergency Response Group, through the Net-zero Task Force, are developing proposals for a Citizens’ Assembly to inform the content of the Devon Carbon Plan.

E.58/19 EXECUTIVE FORWARD PLAN

Members were presented with an interim Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content. The Deputy Chief Executive confirmed that a full version of the Executive Forward Plan would be published in early January 2020.

E.59/19 REVENUE BUDGET MONITORING 2019/20 Q2

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2019/20, and provided a forecast for the year end position.

The Lead Member for Support Services introduced the report and there being no questions, it was then **RESOLVED** to:

1. Endorse the forecast income and expenditure variations for the 2019/20 financial year and the overall projected underspend of £37,000 (0.4% of the total budget £8.833 million) and
2. **RECOMMEND** to Council to transfer £40,000 from the Dartmouth Lower Ferry Earmarked Reserve in order to complete the work required to bring the existing fleet up to the required Maritime and Coastguard Agency (MCA) standards.

E.60/19 CAPITAL PROGRAMME MONITORING 2019/20 Q2

The Executive was presented with a report that advised Members of the progress on individual schemes within the approved capital programme, including an assessment of the financial position. The monitoring of the capital programme at month 6 had not highlighted any significant areas of overspend to report to Members.

The Lead Member for Support Services introduced the report. The s151 Officer and Director for Place and Enterprise responded to questions of clarity.

During discussion, it was confirmed that a report would be presented to a later meeting of the Executive setting out whether the Pay on Entry initiative had been successful in terms of financial implications. A local Ward Member for Salcombe raised concerns over the issue of Salcombe being without toilet provision whilst the Whitestrand project was under construction. A number of Members gave their views, and the Director of Place and Enterprise concluded that the problem represented financial challenge versus service provision. Finally, one Member raised that affordable housing provision had not been spent, and by way of response, Members were advised that the Council was currently developing a Housing Strategy for which those funds would be needed.

It was then **RESOLVED** that:

1. The content of the report be noted;

That Council be **RECOMMENDED**:

2. That £110,000 of the remaining capital programme contingency budget of £183,399 is approved to be allocated to the Whitestrand, Salcombe capital project set out in exempt Appendix B;
3. That the capital budget of £140,000 be retrospectively approved to be funded from the Dartmouth Ferry reserve; and
4. That the capital budgets for developing beach huts in Salcombe and Beesands are withdrawn.

E.61/19 **DRAFT REVENUE BUDGET PROPOSALS FOR 2020/21**

Members were presented with a report that set out the latest budget position for the Revenue Budget for 2020/21 and formally sought the views of the Overview and Scrutiny Panel on the presented budget proposals.

The Leader introduced the report, and set out the key points for consideration, and advised that the proposals would be passed to the Overview and Scrutiny Panel for consideration, before being presented back to Executive at the next meeting on 6 February, 2020.

The s151 Officer responded to questions of clarity.

It was then **RESOLVED** that:

- (i) the forecast budget gap for 2020/21 of £33,320 and the position for future years (a projected £0.530 million budget gap in 2021/22) be noted;
- (ii) the current options identified and timescales for closing the budget gap in 2020/21 and in future years, to achieve long term financial sustainability be noted; and
- (iii) the views of the joint meeting of the Overview and Scrutiny Panel and Development Management Committee on the Revenue Budget Proposals set out within this report for 2020/21 be requested.

E.62/19 **CAPITAL BUDGET PROPOSALS 2020/21**

Members were presented with a report that set out the Capital Programme proposals for 2020/21 and formally sought the views of the Overview and Scrutiny Panel to the proposals.

The Leader introduced the report.

It was then:

RESOLVED

- 1) That the following be noted
 - a) The Capital Programme Proposals for 2020/21, which total £2,480,000 (Appendix A)
 - b) The content of the Capital Programme Proposals for 2020/21, which total £1,250,000 (Exempt Appendix B)
 - c) The proposed financing of the 2020/21 Capital Programme of £3,730,000 from the funding sources set out in Section 4.

- 2) That the views of the joint meeting of the Overview and Scrutiny Panel and Development Management Committee on the Capital Programme proposals for 2020/21 of £3,730,000 set out in this report and the proposals for the financing of the Capital Programme be requested.

E.63/19 PARTNERSHIP FUNDING

Members were presented with a report that provided feedback from each of the partners that the Council currently funded. Members were asked to consider the merits of each partner submission and decide which partners they would like to enter into a three year funding agreement with.

The Lead Members for Communities and Wellbeing introduced the report.

Members had a detailed discussion on this item, and non-Executive Members were included in the debate. Whilst acknowledging that these were to be subject of discussion during the draft 2020/21 Revenue Budget Setting process, the following recommendations reflect the decision of the Executive in respect of the partner submissions that were submitted. The total amount of funding allocated was £89, 647. This amount was £7,000 less than the amount currently committed for partnership funding. Additional funds were recommended to support the Ivybridge Ring and Ride, and the SH CVS funding was recommended for withdrawal on the basis of a lack of clear financial information within their submission.

It was then:

RESOLVED that:

1. the feedback given by each partner as shown in presented Appendix A was considered based on
 - a. local need
 - b. alignment to the Council's Corporate Strategy
 - c. statutory duty; and

2. the following partners be awarded funding for the next three years of the following amounts per annum, subject to endorsement through the 2020/21 Revenue Budget setting process:
 - a) South Devon Area of Outstanding Natural Beauty Partnership - £20,700
 - b) South Hams Citizens Advice - £51,867
 - c) South Hams Community Volunteer Service - £0
 - d) Ivybridge Ring and Ride - £5,710
 - e) Totnes & Dartmouth Ring & Ride (Newton Abbot Community Transport Group) - £7,370
 - f) South West Youth Games - £0
 - g) South Hams Museums Group - £4,000

E.64/19 **CUSTOMER SATISFACTION ACTION PLAN PROGRESS**

Members were presented with a report that detailed progress made since September 2019 on improving customer satisfaction.

The Lead Member for Customer First introduced the report. Members wished for thanks to be recorded to all Members of staff for their efforts to improve customer satisfaction.

It was then:

RESOLVED that:

1. the progress made to date in improving customer satisfaction in particular the increased Customer Satisfaction scores be noted
2. the following next steps be supported:
 - i. Appoint a Customer Service Improvement Manager
 - ii. Review complaint handling
 - iii. Continue customer focussed staff meetings, performance monitoring and training
 - iv. Replace customer handling software
 - v. Achieve an uplift in customer satisfaction by 5.7 points in the next Institute of Customer Service benchmarking survey
 - vi. Continue progress reporting

E.65/19 **PUBLIC TOILET PROJECT UPDATE**

Members were presented with a report that set out the latest position, following the continued work on the public toilet project.

The Lead Member for Communities introduced the report and was thanked by other Members for his work on the project.

One Member wanted to record thanks to Salcombe Town Council for their financial support to Millbay public toilets to keep them open, particularly as the toilets were not within Salcombe. It was also noted that the terminology within the report gave the impression that the position with the toilets at Millbay had resulted in a cost pressure to the Council. A Member felt that this was not strictly the case, as the Millbay toilets had not been included in the original project. Officers agreed to clarify the position in future reports.

It was then:

RESOLVED that:

the updates to the public toilet project detailed in the body of the report be approved, but may be summarised as follows:

Totnes – Civic Hall, Coronation Road and Steamer Quay

That, should an offer be received for the Town Council to continue to pay lost Pay on Entry (PoE) income to the District Council for the financial year 2020/21, it should be accepted, pending the Town Council's consideration of a long-term solution.

Salcombe and East Portlemouth – that the facilities at Whitestrand, Batson Creek, North Sands, South Sands, Mill Bay and Ferry Steps remain open and lost PoE income is reimbursed to the Council by the Salcombe Partnership.

At Mill Bay, it is now proposed the facility remains open with a contribution from the partnership for the required renovation works.

Newton Ferrers

That the facility reopen for next season, to allow the Parish Council to explore options to reduce running costs, and with a financial contribution from the Parish Council of £1,500 towards running costs for next financial year.

Holbeton

That the facility re-opens with the Parish Council funding energy and water charges and arranging the cleaning of the toilets, pending taking on the public toilet building as an asset transfer

Thurlestone

That the District Council will continue to clean the facilities, and pay for this for the duration of the next financial year. In return, the Parish Council will take the building as an asset transfer and immediately apply for Business Rate Relief, which will be applicable as it will be the only building the Parish will own on which business rates apply. This will help to ease the financial onus for the Parish Council.

E.66/19 **REPORTS OF OTHER BODIES**

In relation to Recommendation O&S.51/19, it was noted that the decision had been taken under Agenda Item 12. Customer Satisfaction Action Plan Progress (Minute E.64/19 above refers).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.50/19 (3) AND E.54/19 (2), WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 19 DECEMBER 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON THURSDAY 2 JANUARY, 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 9.30 am and concluded at 11.00 am)

Chairman

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
15 JANUARY 2020**

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr K Kemp
∅	Cllr J Brazil (Chairman)	*	Cllr M Long
*	Cllr D Brown	*	Cllr G Pannell
*	Cllr R J Foss (Acting Chair)	*	Cllr K Pringle
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr T R Holway	*	Cllr B Taylor

Other Members also in attendance and participating:

Cllrs P Smerdon, H Reeve, J Sweett, and J A Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		HOP Development Management; Planning Specialists; Deputy Monitoring Officer; and Specialists – Democratic Services
	3353/19/TPO	Assets Specialist

DM.44/19 MINUTES

The minutes of the meeting of the Committee held on 4 December 2019 were confirmed as a correct record and signed by the Chairman, subject to the following amendment being made:

Para 2101/19/4	Title hotel: Lantern Lodge Hotel
Speakers included:	Supporter – Mr Simon Bird: Parish Council representative – Cllr Jo Hocking: Ward Members – Cllrs Long and Pearce

DM.45/19 DECLARATIONS OF INTEREST

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

Cllr R Foss declared a personal interest in application **3354/197FUL**: Proposed installation of a Peaking Gas Generation Plant with associated development to include vehicular access and security fencing, by virtue of knowing the land owner on a social level. He remained in the meeting and took part in the vote thereon;

Cllr G Pannell declared a personal interest in application **3498/19/FUL** that is sited within the Dartmoor National Park Authority (DNPA) by virtue of being married to a Member of the DNPA who had submitted a letter of representation. He remained in the meeting and took part in the debate and vote thereon:

Cllrs R Rowe and B Taylor each declared a personal interest in application **3498/19/FUL** as it is sited within the South Devon AONB by virtue of being Members of the South Devon AONB Partnership Committee and they remained in the meeting and took part in the debate and vote thereon:

DM.46/19 **PUBLIC PARTICIPATION**

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

DM.47/19 **PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

a) 3354/19/FUL Land at Ermington Road, Ivybridge
Town: Ivybridge East

Proposed installation of a Peaking Gas Generation Plant with associated development to include vehicular access and security fencing

Case Officer Update: Case officer clarified location of siting of substation which had been incorrectly identified at the site visit. There were now 2,042 signatures on the petition against the plant. The DNPA had not been consulted previously and now registered their objection to the plant.

Speakers included: Objector – Ms Sophie Phillips: Supporter – Chris Shears: Parish Council representative – Cllr Anthony Rea: Ward Member – Cllrs Pringle and Abbott

Recommendation: Refusal

Committee Decision: Refusal

b) 3021/19/HHO 11 The Coppice, Ivybridge

Town: Ivybridge East

Householder application for single storey extension to the dwelling

Case Officer Update: None

Speakers included: Supporter – Ms Kate Child: Ward Members – Cllrs Pringle and Abbott

Recommendation: Refusal

Committee Decision: Refusal

c) 3498/19/FUL Newpark Stables, North Huish

Parish: North Huish

Proposed provision of manège area to be used in conjunction with existing stables development

Case Officer Update: None

Speakers included: Objector – Mr Richard Howell: Supporter – Mr Ian Hodgson: North Huish Parish Council – Cllr Robert Steer: Ward Members – Cllrs Smerdon and Pannell

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard time
2. Standard Plans
3. Not for commercial use
4. Additional landscaping
5. Land returned if no longer in use
6. Drainage details
7. No outside lighting

d) 0332/19/FUL Garages 7, 9, and 11, Christina Park, Totnes

Town C: Totnes

READVERTISEMENT (Revised Plans Received) for construction of a new three storey private residence on a brownfield site currently occupied by three garages.

Case Officer Update: None

Speakers included: Supporter – Mr Stuart Daniel: Town Council representative – Cllr Georgina Allen: Ward Member – Cllr Sweett

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accordance with plan
3. Surface water drainage in accordance with submitted details
4. No external lighting
5. Materials
6. CMP 9dust, parking, hours of working)
7. Details of internal and external lighting
8. Accord with ecology report
9. Unexpected contamination
10. No part of the development, including any garden area, may extend below a level of 11.6 metres Above Ordnance Datum
11. The finished floor level of the lower ground floor shall be set no lower than 13 metres Above Ordnance Datum
12. Details of tree planting along norther boundary of the site

e) 3391/19/HHO Cheesewring, Sandhills Road, Salcombe

Town: Salcombe

Householder application for rebuilding of boundary wall following partial collapse (Retrospective)

Case Officer Update: None

Speakers included: Supporter – Mr Dominic Warren (statement read); Town Council representative – Cllr Mike Fice; Ward Members – Cllrs Judy Pearce (statement read) & Mark Long

Recommendation: Conditional Approval

Members had a detailed discussion on this item, and, with the Ward Members having attended a site inspection, were concerned that the wall was significantly higher than the previous wall. There was also concern regarding the loss of a

significant view within the AONB on a frequently used footpath.

Committee Decision: Refusal

Reasons for Refusal:

The increased height of the wall results in the harmful loss of a public amenity view from Public Footpath (Salcombe Footpath 24) within South Devon Area of Outstanding Natural Beauty, contrary to the provisions of DEV1 (1), DEV20 (1), DEV20 (2), DEV23 (1, 2, 7), DEV25 (2, 3, 4, 7, 8), SALC ENV1 (a, b) and guidance within the National Planning Policy Framework, including but not limited to paragraphs, 170 and 172.

Members authorised enforcement action.

f) 3353/19/TPO **Tree, land adjacent to 7 Whimbrels Edge, Thurlestone**

Parish: Thurlestone

Elm – crown lift on north side to 3m from ground level, deadwood removal (exempt) and remove basal epicormics growth. To allow pedestrian access without damaging trees.

Case Officer Update: None

Speakers included: None

Recommendation: Approval

Committee Decision: Approval

DM.48/19 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report.

The Head of Development Management provided further details on specific recent appeal decisions.

(Meeting commenced at 11.00am and concluded at 4:08pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 15 January 2020

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
3354/19/FUL	Peaking Gas Generation Plant, land at Ermington Road, Ivybridge	Refusal	Cllrs Foss, Abbott, Pannell, Kemp, Long, Pringle, Hodgson, Rowe, Taylor, and Brown (10)	Cllr Holway (1)	(0)	Cllr Brazil (1)
3021/19/HHO	11 The Coppice, Ivybridge	Refusal	Cllrs Foss, Abbott, Pannell, Long, Hodgson, Taylor, and Holway (7)	Cllrs Kemp, Brown, Rowe, and Pringle (4)	(0)	Cllr Brazil (1)
3498/19/FUL	Newpark Stables, North Huish	Conditional Approval	Cllrs Foss, Abbott, Hodgson, Kemp, Brown, and Holway (6)	Cllrs Pannell, Long, Pringle, Rowe, and Taylor (5)	(0)	Cllr Brazil (1)
3332/19/FUL	Garages 7, 9. And 11, Christina Park, Totnes	Conditional Approval	Cllrs Foss, Abbott, Pannell, Rowe, Holway, and Taylor (6)	Cllrs Hodgson, Kemp, Long, Brown, and Pringle (5)	(0)	Cllr Brazil (1)
3391/19/HHO	“Cheesewring”, Sandhills Road, Salcombe	Conditional Approval	Cllrs Brown, Holway, and Rowe (3)	Cllrs Foss, Abbott, Pannell, Long, Pringle, Hodgson, Taylor, and Kemp (8)	(0)	Cllr Brazil (1)
3391/19/HHO	“Cheesewring”, Sandhills Road, Salcombe	Refusal	Cllrs Foss, Abbott, Pannell, Long, Pringle, Hodgson, Taylor, and Kemp (8)	Cllrs Brown, Holway, and Rowe (3)	(0)	Cllr Brazil (1)
3353/19/TPO	Elm – crown lift on North side to 3m, Land adjacent to 7 Whimbrels Edge, Thurlestone	Approval	Cllrs Foss, Abbott, Pannell, Kemp, Long, Pringle, Hodgson, Holway, Taylor and Brown (10)	(0)	(0)	Cllrs Brazil, Rowe (2)

**MINUTES OF THE JOINT MEETING OF THE
OVERVIEW & SCRUTINY PANEL AND THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 23 JANUARY 2020**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr V Abbott	*	Cllr J McKay
*	Cllr L Austen	*	Cllr O'Callaghan
*	Cllr J P Birch (Chairman)	*	Cllr G Pannell
*	Cllr J Brazil	*	Cllr J T Pennington
∅	Cllr D Brown	*	Cllr K Pringle
*	Cllr M Chown	*	Cllr H Reeve
*	Cllr R J Foss	*	Cllr J Rose
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr T R Holway	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
∅	Cllr K Kemp	*	Cllr B Taylor
*	Cllr M Long	*	Cllr D Thomas

Other Members also in attendance:
Cllrs K Baldry, H Bastone, J Hawkins, N Hopwood and J Pearce

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Senior Leadership Team, Head of Practice – Development Management and Senior Specialist – Democratic Services

OSDM.1/19 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting and these were recorded as follows:-

Cllr P C Smerdon declared a Personal Interest in Items 5: 'Public Forum' and 7: 'Revenue Budget Proposals for 2020/21' (Minutes OSDM.2/19 and OSDM.3/19 below refer) specifically in relation to the funding recommendations to the South Hams Community and Voluntary Service (CVS) by virtue of being a trustee of the South Hams CVS. Since there was to be no debate during the Public Forum agenda item, Cllr Smerdon proceeded to remain in the meeting during consideration of this matter. With regard to the 'Revenue Budget Proposals for 2020/21', Cllr Smerdon made a statement on the CVS funding proposal and then proceeded to leave the meeting room during consideration of this aspect of the agenda item.

OSDM.2/19 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that one question had been received for consideration during the agenda item.

1. Question from Penny Elghady

'Every district in Devon funds their local CVS (Community and Voluntary Services), helping to support their priorities in building resilient, safe and connected communities with the well-being of residents at their heart. The support of the District Council to South Hams CVS over many years has been invaluable, also in reinforcing the trust in the sector and the CVS with other funders and partners. The total withdrawal of the grant to South Hams CVS, proposed in the budget, would therefore put the CVS at significant risk of closure and the safe future of the voluntary sector in South Hams at risk. What thoughts have the Council given to how support will be provided to the voluntary and community sector in the South Hams without the core services of South Hams CVS?'

In reply, the Chairman of the Panel advised that this matter was to be considered at this meeting in conjunction with the Revenue Budget Proposals for 2020-21 agenda item (Minute OSDM.3/19 below refers). It was his intention at the appropriate time to recommend an alternative proposal whereby the £10,000 grant to the CVS should be reinstated. In the event of this proposal being approved at this meeting, then the Chairman informed that this recommendation would be considered by the Executive at its next meeting on 6 February 2020 before being presented to the Council meeting on 13 February 2020. Finally, the Chairman advised that there was further provision for public questions to be submitted to the Executive.

Ms Elghady welcomed the response given and asked a supplementary question regarding what measures the CVS could undertake in order to improve its working relations with the Council. In response, the Chairman was of the view that this was likely to become apparent during the debate at this meeting.

OSDM.3/19 REVENUE BUDGET PROPOSALS FOR 2020-21

Members considered a report that asked for their views on the content of the draft Revenue Budget Proposals report for 2020-21.

In discussion, particular reference was made to:-

- (a) a Community Transport scheme being developed in Kingsbridge. Whilst there had been no requests made for funding for 2020-21, if such a scheme was developed in Kingsbridge, then representatives would be encouraged to submit a request to the Council that would be considered during the 2021-22 draft budget setting process;

- (b) Employment Estates Income of £25,000. A Member sought confirmation that this income was for the Ermington Business Units. In reply, officers confirmed that this was the case;
- (c) the budget pressure derived from Housing Benefit Overpayment recoveries. When questioned, the Section 151 Officer confirmed that, as a consequence of the Universal Credit scheme and the Department of Work and Pensions Real Time Information Referrals, there were now fewer Overpayments being generated in real time and this had created a budget pressure. However, the Section 151 Officer also confirmed that this budget pressure would have no detrimental impact on claimants and was purely due to less Overpayments being generated;
- (d) the Marine Infrastructure Reserve. Officers confirmed that the delay in the Batson project would result in the allocated £68,000 being retained within the Marine Infrastructure Reserve;
- (e) an alternative set of Revenue Budget recommendations were **PROPOSED** and **SECONDED** as follows:-

- 1. That a fund of £400,000 be set up for Emergency Climate Change projects in order to give effect to the Action Plan being produced by the Council. It is proposed that part of the fund be open to bids from Community Groups with proposals for Climate Change projects. The mechanism for providing such funds to be established as well as the extent of the expenditure by the Council and that awarded to Community Groups;*
- 2. That car parking charges for all car parks be frozen (cost £80,000);*
- 3. That the budget gap of £51,543 be closed.*

(NB. the total additional expenditure of the above points 1, 2 and 3 is £531,543).

This additional expenditure to be funded from:

- 1. The anticipated income from planning fees being increased by £75,000;*
- 2. The anticipated income for car parking fees being increased by £50,000;*
- 3. That an additional sum of £406,543 be used from the New Homes Bonus fund,*

(NB. the total of the above to support the additional expenditure is £531,543).

In respect of Partnership Funding, the £10,000 being sought by the South Hams Community and Voluntary Service (CVS) be reinstated. (There is already £7,000 to cover this expenditure in the budget and it is proposed that the remaining balance of £3,000 be taken from the remainder of the unallocated New Homes Bonus; and

As to the remainder of the unallocated New Homes Bonus (totalling £289,616), it is proposed that this funding be earmarked as a contribution towards a reduction in the funding gap for 2021/22.

The meeting proceeded to consider each aspect of the alternative budget proposals as follows:

Emergency Climate Change Projects Fund – there was widespread support expressed for this proposal which it was felt reflected the seriousness of the Climate Change agenda and the fact that the Council had declared a Climate Change and Biodiversity Emergency.

Whilst it was recognised that the mechanism to allocate monies from the Fund was still to be developed, it was noted that the Climate Change and Biodiversity Working Group would have a key role to play in this process.

When put to the vote, this proposal was declared **CARRIED**.

Freezing Car Parking Charges – the proposer of the motion advised that the main purpose of a freeze would be to support the viability of town centres in the South Hams.

During the debate, it became apparent that there were contrasting views over this proposal with supporting views including:

- a wish to revisit the proposal to introduce car parking charges at Follaton House;
- charges being less in a number of other local authority areas; and
- the public transport links in the South Hams being so poor that car usage was a necessity.

In contrast, other Members expressed their opposition to the proposals and stated that:

- there was no proven direct linkages between car parking charges and town centre viability. Some Members were of the view that the key factors that were harming the viability of town centres were the significant increase in online shopping activity; high rents; and business rates;
- the proposed 4% increase not being a significant amount and, when considering that a commitment had been made by the Leader for this to be the only increase during the four year Council administration, this would constitute a below inflationary increase; and

- by encouraging increased car usage, a freeze in charges would contradict the Council's Climate Change Emergency Declaration.

When put to the vote, this proposal was declared **CARRIED**.

Closing the Budget Gap of £51,543 – the meeting recognised the need to set a balanced budget and, when put to the vote, this proposal was declared **CARRIED**.

Additional Income from Planning Fees – the proposer made reference to the trend over the last two years whereby planning income had been over and above the forecasted target. As a result, the proposer felt that there was scope to increase the anticipated income from planning fees by £75,000.

During the subsequent debate, reference was made to a Briefing Paper that had been produced by the Head of Development Management Practice that had cast some doubt on the ability for the Council to achieve an additional income of £75,000. In particular, the Paper had set out that, since the Council now had an adopted Joint Local Plan, it was able to set income projections with more certainty and it was deemed unlikely that the Council would be able to deliver on such a revised target.

Notwithstanding this advice, the proposal, when put to the vote, was declared **CARRIED**.

Additional Income from Car Parking Charges – with no debate ensuing, the proposal, when put to the vote, was declared **CARRIED**.

Additional Monies from the New Homes Bonus Fund – with no debate ensuing, the proposal, when put to the vote, was declared **CARRIED**.

Reinstating the CVS Funding Proposal – in discussion, Executive Members advised that their original recommendation to reduce the grant funding to the CVS had been generated through a lack of information and clarity that had been provided by the organisation. Whilst there was a lack of clarity over the services that were provided by the CVS and how they used the grant funding provided by the Council, reference was made to a meeting that was to take place on Thursday, 30 January 2020 with Council representatives and the CVS when it was hoped that this matter would be overcome.

A number of Members paid tribute to the work that was undertaken by the CVS and it was hoped that a closer partnership working relationship could now be developed between the organisation and the Council.

Some Members also made the point that the CVS should be asking that other partner agencies (e.g. LiveWest and Fusion Lifestyle) make a funding contribution for the services that it delivered on its behalf.

The proposal, when put to the vote, was declared **CARRIED**.

Using the Unallocated New Homes Bonus Funding towards reducing the Budget Gap – with no debate ensuing, the proposal, when put to the vote, was declared **CARRIED**.

- (f) the proposed inclusion of an Economy Officer post. Whilst there was general support for inclusion of this additional post, the meeting requested that, as part of the agenda papers presented to the Executive at its meeting on 6 February 2020, a draft Job Description and the associated outcomes and targets for the role also be included.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that the joint meeting supports:-

1. the increase in Council Tax for 2020/21 of £5 (Band D of £170.42 for 2020/21 – an increase of 10 pence per week or £5 per year – equating to a 3.02% increase);
2. the financial pressures amounting to £1,578,640 (as shown in Appendix A of the presented agenda report);
3. the net contributions to/from Earmarked Reserves amounting to £63,243 (as shown in Appendix D of the presented agenda report);
4. the proposed savings of £959,477 for 2020/21 (as shown in Appendix A of the presented agenda report);
5. the proposed funding levels (as set out in section 2.38 of the presented agenda report), subject to the reinstatement of the £10,000 funding to the South Hams CVS;
6. the proposed use of £509,543 of New Homes Bonus funding to balance the 2020/21 Revenue Budget (as shown in Section 2.25 of the presented agenda report);
7. the use of £400,000 of New Homes Bonus funding to set up an Emergency Climate Change projects Earmarked Reserve; and

8. the inclusion of an Economy Officer post (shared with West Devon Borough Council within the staffing establishment as set out in Section 1.7 of the presented agenda report), subject to the Executive being in receipt of a draft Job Description and the associated outcomes and targets for the role.

OSDM.4/19 **CAPITAL BUDGET PROPOSALS FOR 2020/21**

Members considered a report that set out the Capital Bids to the 2020/21 Capital Programme and outlined a suggested way that these Bids could be funded.

It was then:

RECOMMENDED

That the Joint Meeting **RECOMMEND** that the Executive **RECOMMEND** to Council that:-

1. the content of the Capital Programme Proposals for 2020/21 that totals £2,480,000 (as set out in Appendix A of the presented agenda report) be supported;
2. the content of the Capital Programme Proposals for 2020/21 that totals £1,250,000 (as set out in exempt Appendix B of the presented agenda report) be supported; and
3. the proposed financing of the 2020/21 Capital Programme of £3,730,000 from the funding sources (as set out in Section 4 of the presented agenda report) be supported.

(Meeting started at 10.00 am and concluded at 12.10 pm)

Chairman

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 23 JANUARY 2020**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Austen	*	Cllr H Reeve
*	Cllr J P Birch (Chairman)	*	Cllr J Rose
*	Cllr M Chown	*	Cllr P C Smerdon (Vice Chairman)
*	Cllr S Jackson	*	Cllr B Spencer
*	Cllr J McKay	*	Cllr J Sweett
*	Cllr D M O'Callaghan	*	Cllr D Thomas
*	Cllr J T Pennington		

Other Members also in attendance:
Cllrs K J Baldry, H D Bastone, J Brazil, J D Hawkins, J M Hodgson, N A Hopwood, M Long, J A Pearce and B Taylor

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Deputy Chief Executive; and Senior Specialist – Democratic Services
8	O&S.62/19	Head of Practice – Development Management
9	O&S.63/19	Specialist – Community Safety, Safeguarding and Partnerships
10	O&S.64/19	Head of Strategy and Projects
12	O&S.66/19	Head of Practice – Environmental Health
13(a)	O&S.67/19(a)	Assets Specialist

O&S.58/19 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 21 November 2019 were confirmed as a correct record and signed by the Chairman.

O&S.59/19 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

O&S.60/19 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration during this agenda item.

O&S.61/19 EXECUTIVE FORWARD PLAN

The Panel was presented with the most recently published Executive Forward Plan.

By way of an update, officers advised that the following agenda items had since been added to the Forward Plan:

- Electric Charging Points; and
- Hemerdon Mine.

O&S.62/19 PRE-APPLICATION PROCESS

Consideration was given to a report that presented the draft pre-application process. The report highlighted that the draft had been subject to a consultation exercise and 20 representations had been made. As a consequence of these representations, there were two main areas of the process that were being recommended to be changed. These were:

1. The interaction with Members and local town and parish councils; and
2. The publication of both pre-application submissions and the Councils response.

In the ensuing debate, reference was made to:-

(a) suggested further revisions to the process. The Panel requested that the following revisions also be made:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy;

(b) the importance of applicants engaging with their local neighbours from the offset. Whilst acknowledging that early engagement was very important, the Panel did also recognise that the Council could not force applicants to hold public meetings and/or engage with their local neighbours;

(c) the involvement of local Ward Members. Officers committed to take every possible step to ensure that local Ward Members were able to attend pre-application meetings. In addition, the Panel also made the point that Members needed to be on the front foot and contact officers if they were particularly interested in a matter as soon as the weekly pre-application list was produced.

It was then:

RECOMMENDED

That the Panel **RECOMMEND** that the Executive **RECOMMEND** to Council that the draft Pre-Application process (as outlined in Appendix 1 of the presented agenda report) be approved, subject to inclusion of the following revisions:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy.

O&S.63/19 **SAFEGUARDING POLICY**

The Panel considered a report that sought to provide Members with the opportunity to annually scrutinise and review Safeguarding practices and procedures.

In discussion, the Panel reinforced its wish to receive the outcome of the DBS viability study at a future meeting.

It was then:

RESOLVED

1. That the Panel continue to formally review safeguarding on an annual basis;
2. That the Executive be **RECOMMENDED** to adopt the revised Safeguarding Policy (as outlined at Appendix A of the presented agenda report); and
3. That the Executive be **RECOMMENDED** to instruct officers to undertake a viability study regarding the merits of DBS checks for all Members, with the outcome of this study being reported back to a future Overview and Scrutiny Panel meeting.

O&S.64/19 **PEER CHALLENGE PROGRESS UPDATE**

The Panel considered a report that provided an overview of the progress that had been made to date against the approved Peer Challenge Action Plan.

During the ensuing discussion, the following points were raised-

- (a) The Panel welcomed the increased onus on Member Workshops and Briefing Sessions, but did also emphasise the importance of Members attending these events;
- (b) A commitment was given by officers that the organisational work programme would be produced before the end of March 2020. Due to its nature, officers also made the point that the programme would continually evolve;
- (c) Having acknowledged that the Terms of Reference for the Accommodation Strategy Working Group included the ability for updates to be presented to the Panel, Members requested that the next update be considered at the Panel meeting on 27 February 2020;
- (d) By way of an update on the Chief Executive Recruitment and Selection process, the Leader advised that there would be an opportunity for all Members to meet the prospective candidates sometime during the two day interview stage that were to take place during 16 and 17 March 2020;
- (e) In respect of improving engagement and communication between the Council and town and parish councils, the Leader reaffirmed her offer that she was willing to attend any town and parish council meeting if there was a wish for her to do so.

It was then:

RESOLVED

That the progress to date on the delivery of the Peer Challenge Action Plan be noted and the proposal to bring forward the LGA interim review to ensure a solid baseline for the new Chief Executive be supported.

O&S.65/19 MEMBER 2019 INDUCTION REVIEW

A report was considered that presented the Panel with the findings of the short survey into the 2019 Member Induction Programme.

In discussion, Members were generally very positive in their feedback on the Programme but some future improvements were suggested that included:

- A reduction in the number of PowerPoint based training sessions;
- Sending out training material in advance of a session to enable Members to consider any questions and/or issues in advance;
- A bespoke session being arranged on the town and parish councils expectations of their local Ward Member(s);
- A greater focus on the Council's accounts and budget responsibilities;

- Reference to how the Council should respond to correspondence that had been circulated to all Members.

It was then:

RESOLVED

1. That the contents of the review into the 2019 Member Induction Programme be noted and the conclusions (as outlined at Section 3.1 of the presented agenda report) be taken into account in the design of future Programmes; and
2. That the Annual Work Programme be updated to include consideration of the draft 2023 Member Induction Programme.

O&S.66/19 FOOD SAFETY PLAN PROGRESS UPDATE

Consideration was given to a report that outlined progress made with the Food Safety Service Plan 2019/20.

In discussion, the importance of the Council developing a good working relationship with the NHS was recognised.

It was then:

RESOLVED

That the Panel welcome the progress made with the Food Safety Service Plan for 2019/20.

O&S.67/19 TASK AND FINISH GROUP UPDATES

(a) Leisure Review – Concluding Report

During his introduction on the concluding report, the Group Chairman highlighted that the Review had delivered on its objectives. In thanking the Members of the Group for their hard work and contributions, the Chairman was also of the view that both the Council and Fusion Lifestyle had learned a great deal from the Review. As a result, the Chairman was confident that the working relationship between the Council and Fusion Lifestyle would now be much improved.

During the consequent debate, reference was made to:-

- confirmation that a copy of the concluding report would be sent to Fusion Lifestyle representatives before they presented to the next Panel meeting on 27 February 2020;

- the cleanliness findings. Some Members felt that cleanliness was a basic requirement and were therefore disappointed at the findings in this respect;
- a request for Fusion representatives to provide an update on their Climate Change policy at the Panel meeting on 27 February 2020;
- there was still an apparent lack of outreach services being delivered in the rural parishes of the South Hams;
- a wish to reinstate the Task and Finish Group in six months' time to monitor progress.

It was then:

RESOLVED

That the Panel note the contents of the Review and the recommendations arising from the Task and Finish Group and request that the Group be reinstated in six months' time in order to monitor progress.

(b) Locality Service

The Group Chairman advised that it was now intended that the concluding report would be presented to the next Panel meeting on 27 February 2020.

O&S.68/19 ANNUAL PANEL WORK PROGRAMME

During consideration of the latest version of the Panel's Annual Work Programme, the following additions, amendments and deletions were made:

- (a) Members acknowledged that they had earlier requested an update from the Accommodation Strategy Member Working Group at the next Panel meeting on 27 February 2020 (Minute O&S.64/19 above refers);
- (b) It was agreed that the Leisure Review Task and Finish Group would be reconvened to monitor progress before it reported back to the Panel meeting on 16 July 2020 (Minute O&S.67/19(a) above refers).

(Meeting started at 1.30 pm and concluded at 3.15 pm)

Chairman

**MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD AT
FOLLATON HOUSE, TOTNES ON MONDAY 30 JANUARY 2020**

MEMBERS

* Cllr D Brown - Chairman

* Cllr T R Holway - Vice-Chairman

∅ Cllr R Foss	* Cllr H Reeve
∅ Cllr K Kemp	* Cllr R Rowe
∅ Cllr D W May	* Cllr P C Smerdon
* Cllr G Pannell	* Cllr J Sweett
∅ Cllr K Pringle	∅ Cllr D Thomas

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

Licensing Specialist; Deputy Monitoring Officer and Senior Specialist – Democratic Services

L.05/19 MINUTES

The minutes of the meeting of the Licensing Committee held on 30 September 2019 were confirmed as a correct record and signed by the Chairman.

L.06/19 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting and these were recorded as follows:

Cllr P C Smerdon declared a personal interest in agenda item 7: '*Determination of Whether to Grant a Hackney Carriage and Private Hire Driver Licence*' (Minute L.08/19 below refers) by virtue of the applicant having been employed by a contractor that had undertaken some work for him approximately fifteen years ago. Cllr Smerdon remained in the meeting and took part in the debate and vote thereon.

L.07/19 EXCLUSION OF PUBLIC AND PRESS

It was then:

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

L.08/19

DETERMINATION OF WHETHER TO GRANT A HACKNEY DRIVER AND PRIVATE HIRE DRIVER LICENCE

Consideration was given to an exempt report that sought to determine whether or not an applicant was a 'fit and proper person' to hold a Hackney Carriage and Private Hire Driver Licence, in accordance with Sections 51 and 29 of the Local Government (Miscellaneous Provisions) Act 1976.

The Chairman advised those present that the agenda item would be considered in the following running order:

- Licensing Specialist to introduce the officer report;
- Committee Members to ask any questions on the report and the officer introduction;
- The applicant and his representative to make their submissions in support of the driver acquiring a Hackney Carriage licence;
- Committee Members to ask any questions on these representations;
- The Committee to adjourn to consider the matter in the presence of the Deputy Monitoring Officer; and
- The meeting to be reconvened with the Chairman to read out the Committee decision.

In making their representations, the applicant and his representative presented to the meeting a number of supporting submissions. The Chairman briefly adjourned the meeting to enable Members sufficient time to read the contents of each of these submissions.

Once all parties in attendance were content that they had no further questions or issues to raise, the Committee then adjourned (at 10.15am) in the presence of the Deputy Monitoring Officer to consider the matter.

The meeting was subsequently reconvened at 10.50am and the Chairman proceeded to read out the Committee decision as follows:

The Decision

'Members of the Licensing Committee have considered very carefully your application for a Hackney Carriage and Private Hire Driver Licence.

- *We have read the Licensing Specialist's report, which you have had sight of;*
- *We have read the letters that you have provided today;*

- *We have also listened very carefully to what you and your representative have told us today;*
- *The main priority of the licensing regime is to ensure public safety. As this is a civil matter, the evidence of proof is based on the balance of probabilities – the onus being on yourself to satisfy the Authority that you are a ‘fit and proper’ person to hold a joint Private Hire and Hackney Carriage drivers licence / vehicle licence.*

The Committee has decided to GRANT your Joint Hackney Carriage and Private Hire Driver Licence. This decision is based on:

- *The fact that you have acted on the recommendations of the Committee meeting held on 30 September 2019;*
- *The fact that you have undertaken the Council’s Safeguarding and Child Sexual Exploitation training session on 8 October 2019;*
- *You having undertaken Counselling for your grief;*
- *The Committee considering and accepting the references that you have presented to the Committee meeting;*
- *The Committee accepting that you are both genuinely remorseful and have given reassurances that it will not happen again and that you will adhere by the Council’s Licensing Policy and Code of Conduct;*
- *The Committee being satisfied that it will not be necessary to complete a driving test or local knowledge test given your previous experience.’*

(Meeting commenced at 9.40am and concluded at 10.50am).

Chairman

