

SOUTH HAMS EXECUTIVE



Minutes of a meeting of the **South Hams Executive** held on **Thursday, 3rd December, 2020** at **10.00 am** at the **Via Teams**

Present: **Councillors:**

Chairman Cllr Pearce
Vice Chairman Cllr Bastone

Cllr Hopwood
Cllr Hawkins

Cllr Baldry

In attendance:

Councillors:

Cllr Abbott
Cllr Birch
Cllr Foss
Cllr Long
Cllr O'Callaghan
Cllr Pringle
Cllr Sweett

Cllr Austen
Cllr Brazil
Cllr Holway
Cllr McKay
Cllr Pannell
Cllr Reeve
Cllr Taylor

Officers:

Senior Leadership Team
Monitoring Officer
Democratic Services Manager
Head of Assets
Head of Housing, Revenues & Benefits
Senior Specialist – Parking
Senior Specialist – Waste
Specialist – Place Making (Open Space, Sport & Recreation)

32.

Mr David May

E.32/20

Since this was the first formal Member meeting since Cllr David May (District Council Member from May 2003 to 2 December 2020) had sadly passed away, the Leader paid a glowing tribute to him. In so doing, the Leader stated that David had been a funny, generous, kind and devoted

family man and a successful businessman too. During his terms of office, David had proven to be a competent and hardworking colleague, who had served his constituents well and was a much valued and appreciated Member of the Council.

Members then proceeded, as a mark of respect, to observe a moment's reflection in his memory.

33. **Apologies for Absence**

E.33/20

The Leader informed the meeting that, whilst not a Member of the Executive, Cllr Rowe had formally offered her apologies to this meeting. In her capacity as Chairman of the Council, Cllr Rowe was instead attending the funeral of Mrs Kath Pennington and, on behalf of the Council, the Leader extended her best wishes to Cllr Pennington at this very sad time.

34. **Minutes**

E.34/20

The minutes of the Executive meeting held on 22 October 2020 were confirmed as a true and correct record.

35. **Declarations of Interest**

E.35/20

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.

36. **Urgent Business**

E.36/20

The Chairman advised that she had agreed for one item of urgent business to be raised at this Committee meeting. The item related to the Additional Restrictions Grant (ARG) scheme and was considered urgent in line of the associated time constraints.

In discussion, the importance of this Scheme was recognised.

It was then:

RESOLVED

1. That the Additional Restrictions Grant (ARG) Scheme (as set out in Appendix A and including the Scheme of Delegation to administer the scheme contained therein) be noted;
2. That approval be given to the use of £50,000 from the ARG funding for wider business support measures; and
3. That expenditure against the Reserve be delegated to the Director of Place and Enterprise and Head of Place Making, in consultation with the Leader of the Council.

37. **Public Question Time**

E.37/20

It was noted that three public questions had been received in accordance with the Executive Procedure Rules for consideration at this meeting. These were as follows:

Q1 from Mr Tony Dale:

Clean Air Strategy Draft re. Totnes Air Quality Management Area:

In reference to Totnes, it makes no recommendations for planting of any sort. Yet trees and shrubs are the only available tool for mitigating NOx emissions. Can the department liaise with landscapes to ensure the science of trees and air quality is fully understood and able to be actioned?

In response, Cllr Hawkins made the following statement:

'Since the early days of the Local Air Quality Management legal regime in the 1990s, DEFRA guidance for reducing pollution had focussed very much on technical measures for getting pollutant levels below the legally binding objectives in as short a time as possible.

In Totnes, the only pollutant listed in the legislation that breached the objective level was Nitrogen Dioxide (NO₂), which was breached at specific locations alongside the A385. Along with other local authorities, South Hams District Council had tried to follow DEFRA advice on reducing this pollutant, and measures in our Air Quality Plans and Air Quality Strategy had therefore tended to focus on technical means to directly reduce the sources of Nitrogen Dioxide, eg. by promoting the use of less polluting technology in vehicles and the increased use of more sustainable travel as well as liaising with the highways authority (DCC) about improvements to road layouts to ease congestion etc.

Very recent research (ref 1 below) suggested that this approach was justified because although vegetation was generally beneficial for air quality (as plants could take up some pollutants and also act as a barrier to polluted air) it was not seen as an effective overall solution to air quality problems. This was because the beneficial impacts of vegetation on air quality varied according to circumstances and the pollutant under consideration. For example, regarding Nitrogen Dioxide and other nitric oxides (NO_x), vegetation had been deemed to be generally of little benefit. It was reported that uptake of NO_x gases was not effectively made by vegetation and soil actually could be a source of NO (Nitric Oxide) so the presence of soil in an urban environment could at least partially offset any potential benefits of vegetation on NO_x removal (ref 1 below).

Trees and other vegetation could act as a barrier to pollutants in the air but such barriers may be impractical to implement in narrow street canyons where the worst excesses of nitrogen dioxide tended to occur. Indeed in Totnes, a key location where NO₂ levels exceeded the objective was the terrace of cottages immediately adjacent to the road on Bridgetown Hill. Planting trees along here would clearly not be possible.

In some situations, tree planting could exacerbate the build-up of pollution within streets by reducing air-flow hence reducing dilution of the pollutants. Moreover, some tree species increased pollution directly as they gave off biogenic volatile organic compounds which could enhance the formation of particulate matter and ozone (ref 1 below).

However, despite these issues, it was agreed that there were many benefits of trees and other plants within urban landscapes (e.g. in improving the environment visually, providing shade and shelter, helping counter climate change and increasing biodiversity) and I am grateful for the enquirer for bringing up this interesting subject in relation to our Clean Air Strategy.

Our current Clean Air Strategy was dated 2018. It was due to be revised at least every 5 years and, at the next revision, we would consult with our colleagues within landscaping, planning and climate change about including planting considerations in situations where it was felt that they could make an overall improvement to the environment, including to air quality.'

Ref 1

Impacts of Vegetation on Urban Air Pollution

Prepared for:

Department for Environment, Food and Rural Affairs; Scottish Government; Welsh Government; and Department of the Environment in Northern Ireland, Air Quality Expert Group 2018

Q2 from Mr Derek Hore:

'Can the Committee advise Marlton residents when they envisage releasing S106 money, bearing in mind clause 5.11 has now been sufficiently fulfilled and clauses 5.13 and 5.17 are not possible due to COVID restrictions, and will they use their Executive powers to overrule our Ward Councillor who is against the project?'

In response, Cllr Hawkins informed that Section 106 funds would be allocated in accordance with the recommendations contained within the presented agenda report (Minute E.43/20 below refers). The recommendations had since been updated and these would be reported under agenda item 11. Paragraph 5.17 was still valid and referred to the remaining Section 106 funds after the allocation of up to £45,000 towards the Torfield Play Area project.

Q3 from Mr Gordon Page:

'Does the Executive think that they were correct in allowing questions at their last meeting to be asked which publicly denigrated Marlton Parish Council, whilst not reading out our responses to those questions publicly, leaving a completely unbalanced and wrong perspective of the whole regeneration process under question to prevail?'

In reply, Cllr Hawkins advised that the Council recognised that the renewal of the Torfield Play Area had generated strong feelings on both

sides of the argument. However, the public right to ask questions at meetings of the Executive was an important part of the Council's interaction with the community. While there were some necessary limits on what could be asked, if a question was within the scope allowed, then there was no reason why it should not be answered.

38. **Executive Forward Plan**

E.38/20

Members were presented with the Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content.

39. **Pay and Display Charges Review**

E.39/20

The Executive was presented with a report that sought to implement a previous decision taken by the Council to raise parking charges only once during the current political term (up to May 2023).

In debate, a lengthy discussion ensued on the need to increase the provision of Electric Charging Points in Council Car Parks. As a way forward, the lead Executive Member committed to providing a report on a draft Electric Charging Points Strategy to Members during early 2021.

It was then:

RESOLVED

1. That the Head of Assets be authorised to publish notice of proposals for the South Hams District Council (Off-Street Parking Places) Order 2021 to consolidate (with amendments) the current Off-Street Parking Places Order. The amendments to be made to be:
 - 1.1 applying the Pay and Display Charges in accordance with Appendix A of the presented agenda report;
 - 1.2 making reference to Electric Charging Points;
 - 1.3 incorporating the new reserved parking bays at Bigbury Car Park (as set out in Appendix B of the presented agenda report);
 - 1.4 providing for no parking between 10.00pm and 6.00am at the Memorial and Strete Gate Car Parks Slapton;
 - 1.5 applying parking charges 24 hours a day at Mayors Avenue Car Park, Dartmouth during the High Season only (March to October);
 - 1.6 applying parking charges from 8.00am until 10.00pm at Memorial, Strete Gate, Torcross Tank and Torcross Layby Car Park, Slapton;
 - 1.7 increasing the Diitisham Sailing Club, Dittisham permit from £25 to £30;
 - 1.8 amending the Dartmouth Market Square, Dartmouth no parking restriction from between 6.00am and 5.00pm to no parking between 6.00am and 9.00am Tuesday and Friday;

- 1.9 reserving 3 bays at Dartmouth Market Square (as set out in Appendix C of the presented agenda report) for Dartmouth Town Council permit holders only Monday – Friday between 7.30am and 5.00pm;
 - 1.10 where the all-day parking tariff is increased as a result of these recommendations, the permit price will be increased thereafter should it be introduced in line with the permit pricing formula; and
 - 1.11 including Steamer Quay Road, Totnes (as shown at Appendix D of the presented agenda report) within the Off-Street Parking Places Order; and
2. That the Head of Assets be requested to prepare a report summarising the representations received in response to the notice of proposals for consideration by the Executive before making a decision whether to make the Off-Street Parking Places Order as proposed or with modifications.

40. **Parking Permit Review**

E.40/20

A report was considered that sought to approve revisions to the Permit Review and Charges to come into effect in March 2021.

During his introduction, the lead Executive Member wished to put on record his thanks to lead officers for presenting such a sensible solution to what had been a longstanding problem.

In discussion, the following points were raised:

- (a) Some Members highlighted that, in certain Council Car Parks, the number of permits allocated to second home owners was disproportionately high. In response, the lead Member informed that the conclusion had been reached that it would be unfair to take permits away from existing customers. However, a further review into the Permit Policy would be carried out in 2021;
- (b) It was noted that one of the main drivers underpinning the review had been to increase the availability of car parking spaces during peak times and that this would be beneficial to the local economy;
- (c) In citing the revised proposals at Slapton, Torcross and Bigbury, a Member stated that this had demonstrated that feedback gained from the consultation process had been taken into account;
- (d) A non-Executive Member stated his strong opposition to the proposed revisions and felt it to be wholly unacceptable that, if approved, some permits were to more than double in price. In her agreement, another non-Executive Member highlighted the economic impact of the COVID-19 Pandemic and felt the timing of these proposals were very unfortunate. Other Members replied that the current provision of Permits was very inconsistent and the pricing strategy had been frozen for a number of years;
- (e) In response to an invitation, the lead Member confirmed that he would be happy to attend a remote public meeting in Kingsbridge to address some of the concerns that were being raised within that community.

It was then:

RESOLVED

That the proposed revisions to the Permit Review and Charges be approved in accordance with Appendix A of the presented agenda report and the Off-Street Parking Order be amended and come into effect in March 2021.

41. **COVID-19 Recovery Plan Progress Update**

E.41/20

Members considered a report that provided an update on the Council's ongoing response and recovery activity and presented the recommendations of the Overview and Scrutiny Panel Task and Finish Groups.

In discussion, the following points were raised:-

- (a) A non-Executive Member highlighted the following action within the draft Recovery Plan and questioned whether it would be given a high priority:

'To explore opportunities to invest in our High Streets by buying empty premises and letting with a rent free period / other incentives to attract businesses into the area.'

In response, it was hoped that this matter could be addressed when the draft Plan was presented to the Council meeting on 17 December 2020. In taking this point a step further, officers committed to adding a short / medium and high priority to each action contained within the draft Plan. Furthermore, it was also requested that these time based priorities should be defined within the Council report;

- (b) An amendment to the report recommendation was **PROPOSED** and **SECONDED** that read as follows:

1. *That, for the Localities and Communities Task and Finish Group findings, officers assess the feasibility and cost of implementing the proposals and present a further report back to a future Executive meeting;*
2. *That officers use the Framework developed by the Consultation & Engagement Task and Finish Group to develop and present (for adoption) a draft Consultation & Engagement Strategy to the Council Meeting to be held on 17 December 2020 and that reference to the: 'If you want to go fast go alone, if you want to go far, go together' proverb be deleted;*

The proposer of the amendment wished to thank both Task and Finish Groups for their findings and was of the view that they had been positive examples of the Overview and Scrutiny function complimenting the Executive. In discussion on the amendment, reference was made to:

- a wish for the report on the Localities and Communities Task and Finish Group findings to take into account the potential for an increased service provision during the February half-term period. Without wishing to put undue pressure on the lead officers, the need for this report to be published as soon as was practically possible was recognised;
- a wish to thank the Localities Team for their excellent work during this year; and
- confirmation that the principles established by the Consultation & Engagement Task and Finish Group would be applied to the public consultation exercise on the draft Housing Strategy;

When put to the vote, the amendment was declared **CARRIED**.

It was then:

RESOLVED

1. That the Council's continuing response to the COVID-19 Pandemic be noted;
2. That the Council's progress in developing and delivering the Recovery and Renewal Plan be noted;
3. That, for the Localities and Communities Task and Finish Group findings, officers assess the feasibility and cost of implementing the proposals and present a further report back to a future Executive meeting;
4. That officers use the Framework developed by the Consultation & Engagement Task and Finish Group to develop and present (for adoption) a draft Consultation & Engagement Strategy to the Council Meeting to be held on 17 December 2020 and that reference to the: 'If you want to go fast go alone, if you want to go far, go together' proverb be deleted; and
5. That officers be requested to finalise the Recovery and Renewal Plan in-line with the approach outlined in the presented agenda report and present it to the Council meeting to be held on 17 December 2020 for adoption.

42.

Housing Strategy Public Consultation

E.42/20

Consideration was given to a report that recommended that approval be given, for public consultation purposes, to the draft Housing Strategy and that the Council undertake a five week public consultation exercise on this important strategic document.

In discussion, reference was made to:-

- (a) the production of an Annual Delivery Plan. Officers stated that it was their intention for an Annual Delivery Plan to be produced with the first iteration being published alongside the revised draft Strategy in March 2021;

- (b) emphasis on social housing. Members welcomed the emphasis in the draft Strategy to social housing;
- (c) the focus to be given to both the need for a locally based calculated housing allowance and making far better use of the current housing stock. Members were of the view that there was a need for ongoing lobbying on both of these important matters;
- (d) the Strategy being a joint document with West Devon Borough Council. When questioned, officers confirmed that a similar proposal had been approved at the Borough Council's Hub Committee meeting held on 1 December 2020. In addition, officers gave assurances that, wherever possible, the feedback gained during the public consultation exercise would be separated between the two Councils;
- (e) the work of officers. Members noted the excellent work undertaken by the lead officers in producing this draft Strategy in such a tight timescale.

It was then:

RESOLVED

1. That the draft Housing Strategy 2021-26 (as set out at Appendix A of the presented agenda report) be approved for consultation;
2. That the Head of Housing, Revenues and Benefits be authorised to carry out a public consultation exercise on the draft Strategy; and
3. That a report on the outcome of the consultation exercise be brought back to the Executive in March 2021.

43. Allocation of Section 106 Funds for Open Space, Sport and Recreation Projects

E.43/20

Members considered a report that requested the release or allocation of Section 106 funds over £30,000 for the delivery of a number of Open Space, Sport and Recreation Projects.

In his introduction, the lead Executive Member informed of his intention, at the appropriate time, to propose an alternative set of recommendations for the Marldon Parish Council proposal (recommendation parts 4, 5 and 6 below refer). In addition, the Member acknowledged the vast number of representations from Marldon residents that had been received by the Council and circulated to all Members. The fact that the Parish Council had now conducted a Public Survey and that 82% of responses received were supportive of the proposals was also recognised.

At the invitation of the lead Member, the report author also wished to make the point that some projects highlighted in the presented agenda report were being delivered in neighbouring wards. For example, with

regard to the funds generated in Bickleigh and Cornwood, they were not only supporting projects within that ward but also within the Plymouth City Council ward boundaries.

In discussion, the following points were raised:-

- (a) Members hoped that these projects could be delivered as quickly as was practically possible;
- (b) It was noted that all Members had a key role to play in this process and they were strongly encouraged to attend their local town and parish councils and raise awareness of the ability to bring forward potential projects and schemes.

It was then:

RESOLVED

1. That approval be given to the release or allocation of Section 106 funds for Open Space, Sport and Recreation projects as set out in Table 1 of the presented agenda report (for Bickleigh and Cornwood; Dartington and Staverton; and Ivybridge West wards);
2. That, where a project is identified, agreement of specific details be delegated to the Head of Place Making, in consultation with the local Ward Member(s) and lead Executive Member;
3. That agreement to any substitution of alternative projects to those identified in Table 1 of the presented agenda report be delegated to the Head of Place Making, in consultation with the local Ward Member(s) and lead Executive Member, subject to the alternative being in accordance with the Section 106 Agreement;
4. That, in view of the further public consultation undertaken by Marldon Parish Council, and the amount of grant applied for representing a proportionately small amount of the total costs of the renewal works identified by Marldon Parish Council as being necessary, approval be given to the allocation of up to £45,000 towards the renewal of Torfield Play Area, subject to the Director of Place and Enterprise being satisfied as to the value for money. (NB. the release of funds will also be subject to confirmation that funding for the remainder of the project has been secured);
5. That approval be given to the allocation of the remainder of the funds available in Marldon, in accordance with a Parish Open Space, Sport and Recreation Plan; and
6. That agreement of the details of specific projects within the Open Space, Sport and Recreation Plan be delegated to the Head of Place Making, in consultation with the local Ward Member and the lead Executive Member.

44. Schools' Recycling Service

E.44/20

A report was considered that recommended the continuation of the provision of a free recycling service to schools using the domestic

rounds. However, in order to reduce the burden this service had on the domestic collection rounds, the containers used would be aligned to the new domestic recycling service, with a limit being introduced on the number of containers that could be used. In instances where schools generated recycling above the limits, they would be required to arrange a trade recycling collection.

During discussion, the importance of educating schoolchildren on the importance of recycling was highlighted.

It was then:

RESOLVED

That approval be given to:

1. the proposal for a continuation to the free recycling service for schools ('Option 1') as set out in Section 4.2 of the presented agenda report; and
2. the policy as set out at Appendix A of the presented agenda report.

45. **Granting of a Long Lease at Erme Valley Playing Fields, Ivybridge**

E.45/20

A report was considered that sought to approve a long lease of land at Erme Valley Playing Fields to Ivybridge Town Council, currently let to Ivybridge Football Club.

In discussion, reference was made to:

- (a) the successes of the Football Club. In support of the proposals, Members wished the Football Club continued success;
- (b) the ownership boundaries relating to this site. In response to some specific points raised by a local Ward Member, officers agreed to follow these issues up with legal colleagues outside of the meeting.

It was then:

RESOLVED

That approval be given to a long lease of land at Erme Valley Playing Fields to Ivybridge Town Council, currently let to Ivybridge Football Club.

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 14 DECEMBER 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

The Meeting concluded at 12.40 pm

Signed by:

Chairman

