

South Hams Council



Title:	Agenda																														
Date:	Thursday, 23rd September, 2021																														
Time:	2.00 pm																														
Venue:	Chamber - Kilworthy Park																														
Full Members:	<p style="text-align: center;">Chairman Cllr Foss</p> <p style="text-align: center;">Vice Chairman Cllr Austen</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 McKay</td> </tr> <tr> <td>Cllr Baldry</td> <td>Cllr O'Callaghan</td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr Pannell</td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pennington</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Chown</td> <td>Cllr Reeve</td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Rose</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Holway</td> <td>Cllr Smerdon</td> </tr> <tr> <td>Cllr Hopwood</td> <td>Cllr Spencer</td> </tr> <tr> <td>Cllr Jackson</td> <td>Cllr Sweett</td> </tr> <tr> <td>Cllr Jones</td> <td>Cllr Taylor</td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Thomas</td> </tr> <tr> <td>Cllr Long</td> <td></td> </tr> </table>	Cllr Abbott	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 Rowe	Cllr Holway	Cllr Smerdon	Cllr Hopwood	Cllr Spencer	Cllr Jackson	Cllr Sweett	Cllr Jones	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

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to approve as a correct record the minutes of the meeting of the Council held on 15 July 2021;

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. Business Brought Forward by the Chairman

to consider business (if any) brought forward by the Chairman;

6. 'Better Lives For All' Plan

Report to follow;

7. Questions

to consider the following question(s) received (if any) from Members in accordance with Council Procedure Rule 8;

8. Notice of Motion

to consider the following motions received in accordance with Council Procedure Rule 10.1

a. From Cllr Pearce and Cllr Bastone

"In response to the almost complete lack of any rented accommodation available for six months or longer that local people and those working in the area can access, and the excessive rise in house prices locally due to second home-owners and those moving in from other areas since the pandemic, which has made house prices completely inaccessible for the great majority of local people, South Hams District Council resolves to declare a Housing Crisis.

It is fortunate that we have a new Housing 5 year Housing Strategy and Housing Actions in Better Lives for All, but as an expansion of them South Hams District Council should:

- 1 Lobby government through our MPs and the LGA to allow council tax to be charged on plots with planning permission after a determined period, even if they haven't been built out, so that developers are encouraged to build out sites without delay.*
- 2 Lobby government through our MPs and the LGA to review the regulation of holiday accommodation, to ensure all holiday accommodation is suitably regulated and made subject to local planning policies and taxes. We should also appeal for an extension to the 90-day short term let legislation to be extended outside London and lobby MHCLG for a separate planning class for short term lets and a proper licensing system to cater for them..*
- 3 Institute an immediate thorough review by the council of all holiday lettings in the District, including, but not restricted to, whether they have planning permission, whether they are paying council tax or business rates, as appropriate, for the accommodation, whether they comply with safety regulations, and to ensure they are paying appropriately for waste disposal.*
- 4 Ask the JLP Team to review the thresholds and percentages of affordable housing on sites, and whether it would be appropriate at the Plan Revision to increase these so that the percentage of First Homes imposed by the government becomes in addition to the present 30% affordable homes rather than part of it.*
- 5 Promote regular Landlord Forums and run a further campaign to publicise the advantages to landlords of Seamoor Lettings.*
- 6 Work closely with our main Registered Providers to ensure best occupancy of stock, so that where tenants are prepared to downsize, not only are they given a priority banding to be able to access a smaller property but support to help them move available.*
- 7 Use some of the affordable housing reserve to increase payments made to anyone downsizing to help make moving more attractive and affordable.*
- 8 Use any Section 106 affordable housing contributions as soon as possible to help fund developments anywhere in the District where the terms of the Section 106 Agreement permit this.*
- 9 Campaign for changes to the Broad Market Area to better reflect the costs of rents in the South Hams.*
- 10. Promote the development of an exemplar site of low carbon modular*

housing such as ZEDpods, to show that developments like this can be both stylish and great to live in. They can offer many advantages over traditional build and could help, amongst other things, to alleviate the shortage of one bedroomed accommodation in the District.”

b. From Cllr Rose and Cllr Hodgson

“Tackling the Climate Emergency – Carbon Fee and Dividend South Hams District Council has declared a Climate Emergency and is committed to becoming carbon neutral by 2030.

Council welcomes the work of SHDC officers to create and begin to implement our CC&B Action Plan, aligning with the DCC Carbon Plan; however, we recognise wider carbon neutrality and meaningful climate action will require bolder national policies.

Council notes:

- That stated current government policy is to reduce carbon emissions by 68% on 1990 levels by 2030;*
- The deeply felt concerns of SHDC residents who are aware that national and international expert advisory bodies report that progress to date is insufficient to meet the global challenge on climate change by 2030.*

Council agrees:

- With the widely understood principle that polluters should pay for the damage they cause;*
- On the importance of ensuring a solid social and political consensus to sustain the transition to a low carbon way of life;*

And therefore, South Hams District Council resolves to:

- Support the principle of the Carbon Fee and Dividend system;*
- Lobby HM Government to appraise the impacts of carbon pricing based on this approach and publish the results;*
- Ask the Chief Executive to write to the Secretary of State for Business, Energy and Industrial Strategy to express these views.”*

c. From Cllr Bastone and Cllr Hawkins

‘The introduction of an Enhanced Response Area in Devon, Cornwall, the Isles of Scilly, Torbay and Plymouth by Public Health England will impose restrictions on the businesses and the general economy in the Region. The Council requests that the Government support the Region’s economy by extending the successful ARG grant scheme. South Hams has paid out over £82 million in grant funding to date and it has made a significant difference to the local economy. A £500,000 fourth Tranche of funding would be sufficient for this Council to support eligible businesses that will be impacted.’

d. From Cllr Hopwood and Cllr Baldry

'In recognition of the national shortage of HGV drivers, this Council will write to the Home Secretary to call on the Government to allow temporary visas to be granted for European HGV drivers to be able to enter and work in the country.'

e. From Cllr Hodgson and Cllr Long

'The waste and recycling collection service offered by the Council still falls well below the standards local residents expect or deserve. Councillors were given assurances that the service would return to a 'steady state' by mid July. In the Council's view, this is not the case. We appreciate the efforts of officers and FCC to try and rectify the situation. However, if a solution cannot be found to deliver the 'super recycling' service as specified at the full council meeting on 6th December 2018 by the end of 2021, the council will exercise its contractual rights and look to bring the service back in house. We would initiate a transition period, in discussion with FCC, for the benefit of both parties. We will also look to work in partnership with other authorities to deliver a waste and recycling service that is fit for the 21st century''

f. From Cllr O'Callaghan and Cllr Jackson

'There is a housing crisis in the South Hams, and genuinely affordable homes for local people must be our top priority.

The Council will look to find solutions by forming a Working Group in the immediate future which will report back to the Executive and/or Full Council as soon as is practicable.'

9.	Public Question Time	13 - 14
10.	Reports of Bodies - to receive and as many be necessary approve the minutes and recommendations of the under mentioned Bodies	
	* Indicates minutes containing recommendations to Council	
(a)	Development Management Committee - 23 June 2021	15 - 20
(b)	Licensing Committee - 30 June 2021	21 - 24
(c)	Audit Committee - 1 July 2021	25 - 28
(d)	Overview & Scrutiny Committee - 1 July 2021	29 - 34

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(e)	Overview & Scrutiny Committee - 22 July 2021	35 - 38
(f)	Development Management Committee - 28 July 2021	39 - 46
(g)	Audit Committee - 2 September 2021	47 - 50
(h)	Executive - 9 September 2021	51 - 54
(i)	Executive* - 16 September 2021	
	To follow	

Agenda Item 1

MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD AT KILWORTHY PARK, TAVISTOCK ON THURSDAY 15 JULY 2021

MEMBERS

* Cllr R J Foss – Chairman

* Cllr L Austen – Vice-Chairman

- | | |
|--------------------|------------------------|
| * Cllr V Abbott | * 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 |
| * Cllr J M Hodgson | * Cllr R Rowe |
| * Cllr T R Holway | * Cllr P C Smerdon |
| * Cllr N A Hopwood | * Cllr B Spencer |
| * Cllr S Jackson | * Cllr J Sweett |
| * Cllr L Jones | * 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: Chief Executive; Deputy Chief Executive; Monitoring Officer; Head of Strategy and Projects; and Democratic Services Manager

32/21

MINUTES

It was **PROPOSED** and **SECONDED** that the minutes of the Annual Council meeting held on 20 May 2021 and the Special Council meeting held on 17 June 2021 were both approved as a true and correct record.

In discussion, a Member felt that the Annual Council minutes should have made mention to the fact that he had proposed the following amendment (which had been duly seconded) but, upon the advice of the Monitoring Officer, had been ruled to be out of order by the Chairman in accordance with Council Procedure Rule 12.6(a):

Reference Minute 28/21: *‘Reports of Bodies: (d) Executive Meeting – 22 April 2021 Minute E.80/20: Urgent Business: (a) Additional Restrictions Grant (ARG) Policy – Supporting Our Business Communities:*

That the use of up to £498,000 from the Business Rates Retention Earmarked Reserve be approved to fund any wider business support measures approved by the Council on 25 March 2021 that cannot be funded from the new ARG Allocation and that, of this £498,000, a sum of £100,000 be utilised for addressing the current waste collection crisis that prevails in the district.’

As a result, it was **PROPOSED** and **SECONDED** that approval of the Annual Council minutes be deferred until the next Council meeting to enable for this omission to be added. However, when put to the vote, this proposal was declared **LOST**.

It was then declared **CARRIED** that both sets of minutes be approved as a true and correct record.

At the Chairman's discretion, the lead Executive Member was invited to provide a brief update on the waste and recycling collection service being provided by FCC Environment following the Special Council meeting held on 17 June 2021. In so doing, the Member advised that there were some evident service improvements with regard to the number of missed collections which had led to a reduction in the number of resident complaints being received by the Council.

Whilst service performance was still not at a satisfactory level, the Member advised that discussions were also now taking place with FCC representatives with regard to improving other aspects of the service beyond simply waste and recycling collections (e.g. litter and dog bins and street sweeping) before the upcoming peak summer tourist season.

33//21

CHAIRMAN'S ANNOUNCEMENTS

The Chairman invited the Leader to provide an update on the offer of the Council to set aside a maximum of £50,000 per town for the five main towns in the district (on a 50:50 match funding) for applications that contribute directly to the growth in the tourism or wider economy of the District (Minute 49/20 refers).

The Leader proceeded to inform that the deadline for applications from the Town Councils had now expired and three (Dartmouth, Kingsbridge and Totnes) had applied and had been largely successful with their respective submissions. Before inviting any questions from the wider membership, the Leader concluding by paying tribute to the three town councils who had applied and expressed her disappointment that neither Ivybridge nor Salcombe Town Councils had applied to the fund.

In the ensuing discussion, the following points were raised:-

- (a) Local Ward Members who represented the successful town councils wished to thank the Council for approving their respective bids;
- (b) When questioned, the Leader confirmed that no thoughts had yet been given with regard to plans for the unspent £100,000;
- (c) It was noted that one of the aspects of the Kingsbridge Town Council had not been totally compliant with the scheme and the local Ward Members were encouraged to discuss this further with officers outside of this Council meeting.

34/21 **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.

35/21 **CORPORATE STRATEGY DEVELOPMENT**

Consideration was given to a report that set out the draft Corporate Strategy and timeline for the next steps, with a view to adoption of the final strategy in September 2021.

During her introduction, the Leader emphasised the importance of the Council adopting a fit for purpose Strategy and it was her wish, with immediate effect, for the Strategy to be branded as: 'Better Lives for All'.

In the ensuing discussion, reference was made to:

- (a) the Strategy being the culmination of a great deal of hard work from Members and officers. In paying tribute to the work that had been undertaken to date, Members also encouraged residents and local stakeholders to take part in the upcoming public consultation exercise;
- (b) the reader friendly content and design of the draft Strategy. A number of Members commended the quality of the document.

It was then:

RESOLVED

1. That officers commence a formal public consultation exercise on the draft strategy, in line with the adopted Community Consultation and Engagement Strategy; and
2. That the Chief Executive and the Director of Governance and Assurance be instructed to develop delivery plans for the Strategy, for consideration by the Executive alongside the final strategy at its meeting on 16 September 2021 before their onward consideration by Full Council on 23 September 2021.

36/21 **COUNCIL CONSTITUTION**

The Council considered a report that proposed changes to the content and format of the Council Constitution, so that it reflected proposals to improve the clarity, efficiency and accountability of decision-making and that ultimately would produce a more user-friendly document.

In discussion, reference was made to:

- (a) producing paper copies of the Constitution. Members discussed the merits of requesting that the Council produce (on request) paper copies of the Constitution and it became apparent that there was a difference in opinion. To resolve the conflicting views, the following motion was **PROPOSED** and **SECONDED**:

'That Members have the ability (upon request) to receive a paper copy of the Council Constitution.'

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

- (b) the 45 minute time limit to consider Motions on Notice. It was confirmed that the Chairman would have absolute discretion as to how this new Procedure Rule would be applied at Council meetings.

It was then:

RESOLVED

1. That, with immediate effect, a revised Constitution (that includes the updated text circulated to Members on 14 May 2021) be adopted that comprises an updated:
 - Chapter 1: introduction;
 - Chapter 2: Scheme of Delegation (Part 3 of the existing Constitution);
 - Chapter 3: Meeting Procedure Rules;
 - Chapter 4: Access to Information Procedure Rules (Part 4(a) of the existing Constitution);
 - Chapter 5: Other Procedure Rules (Parts 4(a), 4(c), 4(f), 4(g) and 4(i) of the existing Constitution);
 - Chapter 6: Codes and Protocols (Part 5 of the existing Constitution, with Councillors' Code of Conduct appended as Appendix C to the presented agenda report); and
 - Chapter 7: Councillors' Allowances Scheme (Part 6 of the existing Constitution);
2. That it be noted that further reports will be brought to Council as work progresses in reviewing and reformatting those elements comprising the existing Constitution; and
3. That the effectiveness of decision-making arrangements introduced by the reports to Council on 11 February 2021 and 25 March 2021 and set out in the Constitution be reviewed in twelve months' time.

PROPOSED MODIFICATION TO THE SALCOMBE NEIGHBOURHOOD PLAN

Members considered a report that sought a response to the consultation carried out by Salcombe Town Council that proposed to modify Policy SALC H3 Principal Residence contained in the Salcombe Neighbourhood Plan.

The Leader introduced the report and proceeded to **PROPOSE** the following alternative recommendation:

‘That the Salcombe Neighbourhood Plan Policy Salc H3 Principal Residence be modified to require a Section 106 Agreement.’

The proposal was subsequently **SECONDED** by her fellow local Ward Member and, in debate, reference was made to such a requirement being vitally important for areas like Salcombe that possess very high proportions of second and holiday homes. To expand upon the point, Members felt that it would be important for local Ward Members to suggest that similar requirements be included within the developing Neighbourhood Plans of other areas in the South Hams.

It was then:

RESOLVED

That the Salcombe Neighbourhood Plan Policy *Salc H3 Principal Residence* be modified to require a Section 106 Agreement.

QUESTIONS ON NOTICE

It was noted that two Questions on Notice had been received in accordance with Council Procedure Rule 8:

(a) From Cllr McKay to Cllr Pearce (Leader of Council)

“In considering the development in Dartmouth of 400+ houses, was account taken of the prospect for local employment for residents, and the likely need to commute from Dartmouth and the consequential impact on the local road network;

and was account taken of the inevitable traffic increase along routes like the A381 as a result of services to these homes (deliveries etc);

and account taken of the inevitable development traffic;

and does the Council recognise and accept the impact of increased traffic on vulnerable communities, like Harbertonford and others communities, along the routes to these large development sites;

and is this is a matter deemed to be the sole responsibility of Devon Highways and if so why;

and how can the Council work with the local highways authority to ensure that the wider impacts of any developments are properly considered;

and what can be done by this Council in consultation with Devon Highways to remedy the situation that is now afflicting communities like Harbertonford and will get increasingly worse as these developments proceed?"

In response, Cllr Pearce advised that the impact of Development was considered through the Examination process and ultimately it came down to the professional opinion of Devon County Council Highways as to the accessibility of impact on both the site and the wider Highway network. Furthermore, Cllr Pearce replied that the impacts on villages on the 'A' road network of this site was negligible compared to the pre-existing volumes of traffic and especially when compared to the impact from tourism. In addition, the socio-economic impacts of not proactively allocating sites for new housing would be much more acute and long-lasting than the minimal impact of traffic movements generated by new residents.

In asking a supplementary question, Cllr McKay queried the evidence that supported the response and reiterated the additional traffic that was being incurred along the A381. In reply, Cllr Pearce recognised the impact on the A381 but also made the point that there was yet more significant development intended in that area.

(b) From Cllr Hodgson to Cllr Baldry (lead Executive Member for Waste and Recycling Services)

"As we are all aware, the problems with the waste and recycling collection services continue to be affecting a number of South Hams residents. There are still many who are now experiencing what appear to them as random collections with a hit and miss effect where they still have one or two unemptied bins going back weeks. As requested previously, please can we have a "Report It" place on our website for these random misses, many of which do not comply with the 2 days overdue requirement?"

In reply, Cllr Baldry stated that, as he had advised earlier in this meeting (Minute 32/21 above refers), the performance of FCC was improving but still needed to improve further. All missed collections needed to be reported within the timescales advertised on the Council website. These reports went directly to FCC which ensured they could action the reported missed collection as agreed under the contract.

Cllr Baldry also advised that residents who were unable to report a missed collection online or who wished to advise us of a service failure outside of this time could do so by going online and submitting a form to 'ask our waste team a question'. This process then enabled the team to investigate the report and ensure a resolution for the resident.

Finally, Cllr Baldry recognised Cllr Hodgson's concerns and he had asked the team that this information was added to the page on the Council website where customers reported missed collections therefore making it clear that there was another option for residents for reporting a problem.

Cllr Hodgson thanked Cllr Baldry for his response and confirmed that she did not wish to ask a supplementary question.

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MOTIONS ON NOTICE

It was noted that three Motions on Notice had been received in accordance with Council Procedure Rule 10.1:

(a) By Cllrs Hodgson and Brazil

“Background:

On Monday 21 June 2021, Caroline Lucas MP presented and gave the CEE Bill its first reading in the House of Commons in this new 2021-22 parliamentary session. The CEE Bill is now back in the parliamentary system.

The objective of this Bill is to require the United Kingdom to achieve climate and nature targets; to give the Secretary of State a duty to implement a strategy to achieve those targets; to establish a Climate and Nature Assembly to advise the Secretary of State in creating that strategy; to give duties to the Committee on Climate Change and the Joint Nature Conservation Committee regarding the strategy and targets; and for connected purposes. Bill read the First time; to be read a Second time on Friday 10 September, and to be printed (Bill 61).

The motion for SHDC therefore reads: “In line with our formal declaration of a climate and biodiversity emergency, and our commitment to actions to change behaviour to address the causes of this situation, and mitigate the impacts, this Council supports the Climate and Ecological Emergency Bill proposed by a coalition of scientists, academics and lawyers with the aim of bringing the UK's climate policy into one with evolving scientific evidence. Currently this also supported by 110 members of parliament. Nationally we need a strong legislative framework that embeds the Government's targets in law, enabling us as supportive players, to plan and develop our future trajectories, to fit in with those targets.

Council therefore resolves to:

- i. Support the Climate and Ecological Emergency (CEE) Bill*
- ii. Inform the local media of this decision;*
- iii. Write to local MPs, asking them to support the Bill; and*
- iv. Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk).”*

The proposer introduced her motion and hoped that all Members would be able to support it.

In the ensuing debate, reference was made to:

- (a) the direct relevance of the Bill to the Council's recently adopted Climate Change and Biodiversity Action Plan;
- (b) the Bill not yet being on the statute book. Nonetheless, a Member confirmed that she did support a number of the sentiments of the Bill and also recognised that Devon County Council had recently passed a similarly worded motion.

It was then:

RESOLVED

That Council:

1. supports the Climate and Ecological Emergency Bill;
2. informs the local media of this decision;
3. writes to local MPs, asking them to support the Bill; and
4. writes to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk).

(b) By Cllrs Hodgson and Brazil

"This Council recognises the urgent need to support, protect and enhance biodiversity and habitats. It therefore agrees to:

- *Consider ways that could be used through the planning system to ensure and check that wildlife and habitat mitigation measures agreed by planning condition are carried out and effective, and develop an appropriate policy,*
- *Work through the JLP Partnership to measure and monitor wildlife and biodiversity, at a range of key locations over the life of the plan,*
- *Develop a policy that would seek implementation of urgent remedial actions that may be advised by recognised experts regarding habitat degradation,*
- *Assess the cumulative impacts on wildlife and habitats as and when planning applications for major developments are proposed within 500m of wildlife corridors, known habitats of protected species, planning consultation zones, green field sites, together with the impact of other nearby residential or commercial development applications, sites or built up areas within 500 metres. This information to be part of the application papers prior to validation for the planning process.*
- *Strengthen and implement fully, habitats screening prior to validation of planning applications*
- *Ensure that any littering left through the SHDC waste collection services is cleaned up immediately, and thereby prevent this wildlife hazard.*

- *Consider options for ‘on the spot’ fines against developers who damage or harm significant wildlife habitats including Devon Banks, and mature native trees and other habitats known to be used by protected wildlife species.”*

In her introduction, the proposer highlighted that wildlife and ecology were often being mitigated against and the intention of the motion was to introduce some policy changes in order to support the Council’s biodiversity requirements.

During the ensuing debate, some Members were of the view that the motion was too wide ranging and, whilst the sentiments were admirable, there were aspects that caused concerns such as:

- there being no current provision to impose ‘on the spot’ fines;
- the significant resource implications on the Council’s already stretched planning service;
- the inability of the Council to demand that littering was ‘cleared up immediately’; and
- the relationship between habitat screening and the planning validation process.

In light of these concerns, the Members encouraged the proposer and seconder to withdraw the motion from consideration at this meeting and revisit the wording prior to re-presenting it to the next Council meeting to be held on 23 September 2021. The proposer and seconder considered the request but stated that the wording represented a statement of intent and they did not wish to see any dilution of the wording of their motion. As a consequence, the Members were not willing to withdraw it from consideration at this meeting.

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

(c) By Cllrs Hodgson and Brazil

“In light of the changes to planning and the Government’s new proposals regarding changes to protected areas across England, South Hams District Council will consider the options of proposing an extension of the South Hams Area of Outstanding Natural Beauty (AONB), to possibly include more of the river catchment areas and consult with key stakeholders accordingly.”

In her introduction, the proposer made reference to recent correspondence that had been received from the South Devon AONB Manager and she was already aware that Dartington and Staverton Parish Councils would welcome an extension of the AONB.

During discussion, reference was made to:-

- this being the first opportunity since AONB’s were formed for any changes to be proposed;
- a wish for Burgh Island to be included within the South Devon AONB;

- any proposals to increase the size of an AONB were far from straightforward.

It was then:

RESOLVED

In light of the changes to planning and the Government's new proposals regarding changes to protected areas across England, South Hams District Council will consider the options of proposing an extension of the South Hams Area of Outstanding Natural Beauty (AONB), to possibly include more of the river catchment areas and consult with key stakeholders accordingly.

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REPORTS OF BODIES

RESOLVED

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

(a) Overview & Scrutiny Committee – 1 April 2021

(b) Development Management Committee – 28 April 2021

(c) Development Management Committee – 26 May 2021

Cllr Smerdon asked that, at the time that the Committee minutes were approved as a 'true and correct record', the list of attendees be amended to include him and not Cllr Pringle.

(d) Executive – 27 May 2021

(e) Executive – 3 June 2021

(f) Overview & Scrutiny Committee – 10 June 2021

(g) Salcombe Harbour Board – 28 June 2021

(h) Executive – 8 July 2021

E.24/21: Public Space Protection Order – Alcohol

In discussion, reference was made to:

- o officers intending to meet with Police representatives in an attempt to understand their rationale behind their recommendations;

- the accuracy of the site maps. With regard to the accuracy of the site maps, the lead Member confirmed that he would convene a meeting with lead officers and local Ward Members to discuss the specific points that had been raised outside of this meeting. Whilst acknowledging that they would not change the Order, it was agreed that any updated site maps would also be circulated to local Ward Members.

It was then:

RESOLVED

1. That Council agree (subject to each of the maps being reviewed) the:
 - (a) Dartmouth Alcohol Public Space Protection Order 2021 (as set out in Appendix A of the presented agenda report);
 - (b) Ivybridge Alcohol Public Space Protection Order 2021 (as set out in Appendix B of the presented agenda report);
 - (c) Kingsbridge Alcohol Public Space Protection Order 2021 (as set out in Appendix C of the presented agenda report);
 - (d) Salcombe Alcohol Public Space Protection Order 2021 (as set out in Appendix E of the presented agenda report); and
 - (e) Totnes Alcohol Public Space Protection Order 2021 (as set out in Appendix G of the presented agenda report);
2. That a further review be requested into whether or not an Alcohol Public Space Protection Order 2021 should be invoked in the following areas:
 - Modbury;
 - South Brent; and
 - Woolwell.

(Meeting commenced at 2.00 pm and concluded at 3.50 pm)

Chairman

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PUBLIC QUESTIONS AT COUNCIL MEETINGS

There is a period of 15 minutes at meetings of the Full Council (excluding the Annual Meeting) during which members of the public can ask questions about items on the agenda.

Any member of the public who wants to ask a question should ensure that the question:

- a) is no more than 50 words in length;
- b) is not be broken down into multiple parts;
- c) relates to an item included on the agenda; and
- d) is suitable to be considered. A question will not be suitable if, for example, it is derogatory to the Council or any third party; relates to a confidential matter; it is about a specific planning matter; or it is substantially the same as a question asked in the past six months.

Questions should be sent to Democratic Services (Democratic.Services@swdevon.gov.uk) by 1.00pm on the Monday before the meeting (the deadline will be brought forward by a working day if affected by a bank holiday). This will allow a detailed response to be given at the meeting. If advance notice of the question cannot be given the Chairman of the meeting has the discretion to allow questions on matters that are felt to be urgent;

For any further advice on questions to Full Council, or to request a copy of the full Public Questions Procedure Rules, please contact Democratic Services (Democratic.Services@swdevon.gov.uk)

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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE REPTON ROOM, FOLLATON HOUSE, TOTNES, ON
WEDNESDAY, 23 JUNE 2021**

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (Chairman)	*	Cllr G Pannell
*	Cllr P Smerdon (substitute for Cllr D Brown)	*	Cllr K Pringle
*	Cllr R J Foss (Deputy Chair)	*	Cllr H Reeve
*	Cllr J M Hodgson – item 6c onwards	*	Cllr R Rowe
*	Cllr K Kemp	*	Cllr B Taylor

Other Members also in attendance and participating:

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Practice – Development Management; Legal Officer; Planning Senior Specialist; IT Specialist; and Democratic Services Officer

- DM.07/21 MINUTES**
The minutes of the meeting of the Committee held on 26th May 2021 were confirmed as a correct record by the Chairman subject to noting the apologies of Cllr K Pringle and that Cllr P Smerdon was present as a substitute.
- DM.08/21 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 K Kemp and H Reeve both declared a personal interest in application 2334/19/FUL as Cllr Kemp attended school with the applicant, while Cllr Reeve buys petrol from the garage on the site. The Members remained in the meeting and took part in the debate and vote thereon;
- DM.09/21 PUBLIC PARTICIPATION**
The Chairman noted the list of members of the public, and town and parish council representatives who had registered their wish to speak at the meeting.
- DM.10/21 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:

6a) 0900/21/HHO 12 Linhey Close, Kingsbridge, TQ7 1LL

Town: Kingsbridge

Development: Householder application for proposed internal and external alterations

The Committee was informed that this application had been deferred to review aspects raised from one set of neighbours following the site visit.

6b) 2334/19/FUL Totnes Cross Garage, A3122 Halwell Cross to Totnes Cross, Halwell, TQ9 7JG

Parish: Halwell & Moreleigh

Development: READVERTISEMENT (revised plans and amended description) Conversion and extension of shop and commercial premises to create enlarged retail area. New vehicle repair workshop and MOT bays, associated access and parking

Case Officer Update: The Council had recently received an energy statement showing carbon reduction which culminated in a greater reduction than the 20% required, therefore the relevant reason for refusal was no longer relevant. The Case Office outlined that a further 63 letters in support had been received, all reiterating the reasons summarised within the report. One letter of objection had been received outlining a concern that the intersection would be more dangerous following this expansion.

Following questions from the Members, the Case Officer confirmed that, should the application be approved, then a dormouse survey may be required.

Speakers included: Supporter – Mr J Hollis; Ward Member – Cllr Helen Reeve;

During the debate, several Members noted the commitment of the applicant to local produce and helping the local community. It was also noted that the entrance had not been opposed by Highways, and some Members felt the new entrance may be an improvement.

The Head of Development Management clarified that the ecology reports had

suggested mitigations for the dormice issue and therefore this could be reviewed by the Council's Ecologist and, if approved, would be conditioned.

Members then voted on approval of this application, citing the following reasons for going against officer recommendation:

Reasons against –

- 1) not of a scale that would lead to additional trips, natural growth to process, therefore there would not be additional journeys, but there might even be a net reduction in journeys.
- 2) the benefits accrued meant it was necessary
- 3) the larger development up the hill would help diminish the impact of the build and access would be an improvement.

Proposed conditions –

- 1) subject to dormouse issue resolution,
- 2) Landscaping and screening
- 3) Carbon reduction
- 4) External lighting
- 5) Provision of local produce based on the applicant's current sales and plan
- 6) Full conditions delegated to Proposer, Seconder, Chair, Ward Member, and Head of Development Management.

Recommendation: Refusal

Committee decision: Conditional approval

6c) 1944/19/FUL Land between 19 & 21 Clayman's Pathway, Ivybridge, PL21 9UZ

Town: Ivybridge

Development: Householder application for proposed internal and external alterations

A Committee Member felt that the officer's report did not go into sufficient detail regarding potential flooding and that the Committee should make a site visit to see the potential risks. This was put to the vote whence the Committee voted to defer this application so that a site visit could be made.

As dictated by procedure, the speakers were offered the opportunity to speak, which the objector accepted. The Case Officer then gave her presentation with no updates to the report. Following a question from a Member, the officer confirmed that there had not been a contamination study made but that this could be conditioned.

Speakers included: Objector – Mr C Whitley;

Recommendation: Conditional approval

Committee decision: Deferral

DM.11/21 **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.

DM.12/21 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the list of undetermined major applications.

(Meeting commenced at 10:00 am and concluded at 12:22 pm, brief interlude at 11:21 to 11:31 am.)

Chairman

Voting Analysis for Planning Applications – DM Committee 23rd June 2021

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
2334/19/FUL	Totnes Cross Garage, A3122 Halwell Cross to Totnes Cross, Halwell, TQ9 7JG	Approval	Cllrs Abbott, Brazil, Foss, Kemp, Long, Pringle, Reeve, Rowe, Smerdon, Taylor (10)	Cllr Pannell (1)		Cllr Hodgson (1)
1944/19/FUL	Land between 19 & 21 Clayman's Pathway, Ivybridge, PL21 9UZ	Deferral	Cllrs Abbott, Hodgson, Kemp, Long, Pringle, Reeve, Rowe, Smerdon, Taylor (9)	Cllrs Brazil, Foss (2)	Cllr Pannell (1)	

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MINUTES OF THE MEETING OF THE LICENSING COMMITTEE HELD IN THE REPTON ROOM, FOLLATON HOUSE, TOTNES ON WEDNESDAY, 30 JUNE 2021

MEMBERS

* Cllr D Brown - Chairman

* Cllr R Rowe - Vice-Chairman

∅ Cllr R Foss

* Cllr J M Hodgson

∅ Cllr T R Holway

∅ Cllr K Kemp

* Cllr G Pannell

* Cllr K Pringle

∅ Cllr H Reeve

* Cllr P C Smerdon

* Cllr B Taylor

∅ Cllr D Thomas

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

Licensing Specialist; Deputy Monitoring Officer; and Democratic Services Manager

L.01/21 MINUTES

The minutes of the meeting of the Licensing Committee held on 5 November 2020 were confirmed as a true and correct record.

L.02/21 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:

Having sought the advice of the Deputy Monitoring Officer, Cllr P C Smerdon declared a personal interest in agenda item 5: '*Consideration of whether a driver remains a 'fit and proper' person to hold a Hackney Carriage and Private Hire Driver Licence*' (Minute L.04/21 below refers) by virtue of his use of a local business that was referred to in the exempt agenda report and remained in the meeting and took part in the debate and vote thereon.

L.03/21 EXCLUSION OF PUBLIC AND PRESS

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 items of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

L.04/21 **CONSIDERATION OF WHETHER A DRIVER REMAINS A 'FIT AND PROPER' PERSON TO HOLD A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE**

Consideration was given to an exempt report that sought a decision as to whether an individual remained a 'fit and proper' person to hold a hackney carriage and private hire driver licence with South Hams District Council.

Following the report being introduced by the Licensing Specialist, the Chairman invited the licensed driver and his colleague to provide a detailed account of why they considered that the licensed driver remained a 'fit and proper' person.

Upon the conclusion of their representations, Members were invited to ask them questions of clarity.

Once all parties in attendance were content that they had no further questions or issues to raise, the Committee then adjourned (at 11.10am) in the presence of the Deputy Monitoring Officer to consider the matter.

The meeting was subsequently reconvened at 11.30am and the Chairman proceeded to read out the Committee decision as follows:

The Decision

'Members of the Licensing Committee have considered very carefully the facts surrounding the allegations and subsequent investigation by the Police.

- *We have read the Licensing Specialist's report, which you have had sight of;*
- *We have read the information provided by the Police;*
- *We have read any additional documents provided by the licence holder ahead of this meeting;*
- *We have also listened very carefully to what you have told us today and to your representative;*
- *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 remain a 'fit and proper' person to hold a joint Private Hire and Hackney Carriage drivers licence / vehicle licence.*

The Committee has decided to take no further action. This decision is based on:

- *The Committee recognises that there has been a dispute and breakdown of relationship between the licensed driver and the complainants;*
- *The licensed driver recognises that the actions on social media were inappropriate and have ceased;*
- *The CCTV evidence is not conclusive that the licensed driver was responsible for the damage and the Committee do not consider it reasonable to give it any weight;*
- *The Committee is satisfied that the licensed driver remains a 'fit and proper' person to hold a licence.'*

(Meeting commenced at 10.10 am and concluded at 11.35 am)

Chairman

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**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
 HELD IN THE REPTON ROOM, FOLLATON HOUSE, PLYMOUTH ROAD, TOTNES
 ON THURSDAY, 1 JULY 2021**

Members in attendance			
* Denotes attendance			
∅ Denotes apology for absence			
*	Cllr L Austen (Chairman)	*	Cllr R Rowe
*	Cllr J Brazil	*	Cllr B Spencer (Vice-Chairman)
∅	Cllr J McKay	*	Cllr B Taylor
*	Cllr J T Pennington		

Members also in attendance:
Cllrs H D Bastone, J D Hawkins and J A Pearce

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Chief Executive; Section 151 Officer; Head of Strategy and Projects; Internal Audit Manager; and Democratic Services Manager

A.1/21 MINUTES

The minutes of the Audit Committee meeting held on 8 April 2021 were confirmed as a true and correct record.

A.2/21 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 none were made.

A.3/21 GRANT THORNTON: SOUTH HAMS DISTRICT COUNCIL ANNUAL AUDIT PLAN

The Committee considered a report that provided an overview of the planned scope and timing of Grant Thornton’s statutory audit of the Council.

In discussion, particular reference was made to:

- (a) the increased Audit Fees. Whilst noting the comments in the Plan, the Committee reiterated its previously held belief that a 27% increase in Audit Fees was excessive.

In particular, Members questioned whether the Council would receive a proportionate amount of auditor hours to reflect the increased Fee and sought assurances that this would not be a recurring trend in future years. In response, the Section 151 Officer committed to forwarding these points to Grant Thornton representatives outside of this Committee meeting and confirmed that she would provide their reply to Committee Members in advance of the next meeting;

- (b) the risks associated with the valuation of land and buildings, including investment properties due to the valuation uncertainty as a consequence of COVID, which was a national issue. When questioned, the Section 151 Officer informed that there had been no change in the fair value valuation of the Council's two investment properties (no change between the 31 March 2021 valuation and the same valuation at 31 March 2020) and that more detail would be presented to a September meeting of the Committee.

A.4/21

INTERNAL AUDIT ANNUAL REPORT 2020/21

Members considered a report that summarised the work undertaken by the Council's Internal Audit team during 2020/21. In addition, the report sought to review the performance of the Internal Audit service and provide an audit opinion on the adequacy of internal control.

In discussion, reference was made to the impact of the COVID-19 Pandemic. Members noted that, in light of Internal Audit resource having been diverted to assist with the processing of Business Grant applications, 11 out of 47 planned audits had either been deferred or not started as at 31 March 2021. As a result, an additional recommendation was **PROPOSED** and **SECONDED** as follows:

*'That the Committee **RECOMMEND** to the Executive to procure an extra 0.5 Full Time Equivalent (FTE) of Internal Audit resource from the Devon Audit Partnership for the 2021/22 Financial Year to backfill for the loss of Internal Audit staff time that has been used to administer the Business Grants for the Council. If approved, this to be funded from the New Burdens Funding received from the Government for administering the Business Grants. This will ensure a robust Internal Audit environment by enabling the internal audit service to fully complete its Audit Plan for 2021/22.'*

In discussion, officers confirmed that provision for additional resource of 0.5 FTE would help to make significant inroads into the Audit Plan. Furthermore, Members recognised that, if approved, the proposal would be effectively cost neutral to the Council.

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

It was then:

RESOLVED

1. That it be noted that, overall and based on work performed during 2020/21 and that of our experience from previous year's audit, the Head of Internal Audit's Opinion is of 'Reasonable Assurance' on the adequacy and effectiveness of the Authority's Internal Control Framework;
2. That the performance and achievements of the Internal Audit Team during 2020/21 be noted; and
3. That the Committee **RECOMMEND** to the Executive to procure an extra 0.5 Full Time Equivalent (FTE) of Internal Audit resource from the Devon Audit Partnership for the 2021/22 Financial Year to backfill for the loss of Internal Audit staff time that has been used to administer the Business Grants for the Council. If approved, this to be funded from the New Burdens Funding received from the Government for administering the Business Grants. This will ensure a robust Internal Audit environment by enabling the internal audit service to fully complete its Audit Plan for 2021/22.

A.5/21

BI-ANNUAL STRATEGIC RISK UPDATE

Consideration was given to a report that presented the bi-annual Strategic Risk Register to the Committee for its comment and review.

In discussion, the following points were raised:-

- (a) Officers confirmed that they would revisit the format of the Register to ensure that future editions were more reader friendly;
- (b) Members stated the extent of the risks associated with the Council's Leisure Contract and noted that the Executive Forward Plan included provision for a report to be presented to the Executive at its meeting on 14 October 2021. As a result, an additional recommendation was **PROPOSED** and **SECONDED** as follows:

*'That the Executive be **RECOMMENDED** to address in its October report on the Leisure Service the risk that the capacity of the Leisure Centres is significantly reduced whilst many overheads and operating costs remain the same and the mitigation for this risk.'*

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

It was then:

RESOLVED

1. That the Strategic Risk Register (as set out at Appendix 1 of the presented agenda report) has been reviewed; and
2. That the Executive be **RECOMMENDED** to address in its October report on the Leisure Service the risk that the capacity of the Leisure Centres is significantly reduced whilst many overheads and operating costs remain the same and the mitigation for this risk.

A.31/20 **DATE OF NEXT MEETINGS**

To ensure the availability of Grant Thornton representatives, Members agreed that the next two Committee meetings should be moved to be held on the following dates and times:

- Thursday, 2 September 2021 at 2.00 pm; and
- Thursday, 30 September 2021 at 9.30 am.

(Meeting commenced at 10.00 am and concluded at 10.45 am)

Chairman

**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Repton Room, Follaton House, Totnes, on
THURSDAY, 1 JULY 2021**

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

Other Members also in attendance:
Cllrs N A Hopwood, T Holway, and J A Pearce

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Director of Governance & Assurance and Democratic Services Specialist
Item 7	O&S.07/21	Senior Specialist – Climate Change
Item 8	O&S.08/21	Business Manager – Specialists and Customer Service Improvement Manager

O&S.04/21 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 1 April 2021 and the minutes of the meeting of the Overview and Scrutiny Committee on 10 June 2021 were both confirmed as a correct record.

O&S.05/21 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.06/21 PUBLIC FORUM

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

O&S.07/21 CLIMATE CHANGE AND BIODIVERSITY ACTION PLAN UPDATE

Before the Executive Lead Member for Climate Change and Biodiversity introduced his report, a Member proposed a motion (that was subsequently seconded) that sought the approval of the Committee to set up a task and finish group to review the latest version of the Climate Change and Biodiversity Action Plan. In the event of this motion being approved, it would preclude the need for the report to be delivered to this Committee meeting. The Member felt that the report was so detailed and raised many questions which meant that it could not be reviewed sufficiently in the time allowed, therefore he proposed the setting up of a time limited Task and Finish Group that would then present its conclusions back to a future Committee meeting.

During the debate, some Members raised the concern that this should not duplicate work nor unduly impact on officers' time.

One Member felt that the task and finish group would be an excellent use of Members' time and would help support the officers who were doing a great job but with limited resources on such an important existential crisis.

The Chairman reminded the Committee that they had been tasked with scrutinising the Action Plan at Full Council on 17th December 2020, with reviews to be six monthly, and a Task and Finish Group would facilitate this important task.

It was outlined that the terms of reference for the Task and Finish Group would be critical to ensure a productive outcome and the Group could have a positive impact on policy development. It was suggested that the Executive Lead Member for Biodiversity should attend the Group meetings to ensure compliance with the Strategy and to minimise duplication. Staff resourcing of the Task and Finish Group was outlined as requiring an administrator, and input from the Director of Governance and Assurance, and the Senior Specialist for Climate Change.

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

It was then:

RESOLVED

1. That a Task and Finish Group be set up to consider the report of the Climate Change and Biodiversity Action Plan dated 1 July 2021 in accordance with the terms of reference given to the Overview and Scrutiny Committee by item 3 of the Full Council resolution at Minute 28/20 of the meeting held on 17 December 2020, and its role in Policy Review and Development as laid out in the Overview and Scrutiny Procedure Rules; and

2. That the Group report back with any recommendations to the meeting of the Panel to be held on Thursday 4 November 2021. The Group will be chaired by Cllr D. Thomas and consist of four Members of the Conservative Group and four Members of the Opposition Group to be selected by the Leader of each Group.

O&S.08/21 **PERFORMANCE MANAGEMENT REPORT**

The Executive Lead Member for Customer Satisfaction and Improvements introduced a report which provided the Committee with an update on the performance across the Council. The Member outlined that overall performance had been very good considering the impact of the Pandemic and applauded officers for this achievement. The one area which had under-performed was the Contact Centre who had experienced increased levels of contact due to the pandemic and had received around 200 extra calls per day over the last two months in response to the waste situation. Therefore, the performance of the Contact Centre was deemed to be acceptable under the circumstances. The Lead Member confirmed that the level of waste calls being received by the Contact Centre had fallen significantly in recent days.

The queue buster technology had begun to be rolled out which provided callers with the option to select a call back whilst maintaining their position in the queue. The Lead Member concluded her remarks with a request for these Key Performance Indicators to be reviewed as a regular item on the Committee's Work Programme. The officer confirmed that live dashboard reviews would soon be possible for Members to see real time performance information.

Following a question from the Chairman, the officer confirmed that the project would be completed by the end of this year. The officer explained that 'less time dependent work' referred to in point 2.2 of the attendant report related to processes such as debt management, discount applications, and data cleansing.

A Member welcomed the ability for Members to get easy access to the figures and it was confirmed that the dashboards would be accessible from the desktop of Members' laptops.

Following discussion around the planning enforcement figures, the Chairman proposed two additional recommendations were added. These were voted on and agreed. The Leader outlined that the number of outstanding cases was reducing and that staffing issues were being resolved. The Leader then asked for Members to contact the enforcement case manager to review cases in their area that could be defined as 'neighbour disputes' and therefore not planning enforcement cases: these could then be removed from the outstanding list. The Leader felt that the data being presented as a graph was not particularly helpful and that a traffic light system based on definitive performance indicators with a short summary for those defined as amber and/or red. The Chairman hoped that this could form part of the report as outlined in recommendation 4 below.

It was then:

RESOLVED

That the Overview and Scrutiny Committee:

1. requests a report, to come to the Committee's 4th November 2021 meeting, on progress being made in improving the Contact Centre performance and on the changeover as set out in paragraphs 1.5 and 1.6 of the attendant report;
2. notes the performance figures shown in the Pentana report attached at Appendix A of the attendant report;
3. has reviewed the information provided in the dashboards and provided feedback to the portfolio holder on any additional measures required to scrutinise performance; and
4. in respect of planning enforcement, requests a report be presented to the Committee at its 30th September meeting following the previous recommendations arising out of the Committee meeting on 1st April 2021 (minute O&S.49/20 a) refers.

O&S.09/21 TASK AND FINISH GROUP UPDATES

There were no task and finish group updates provided to this meeting.

O&S.10/21 2021/22 PANEL WORK PROGRAMME – LATEST VERSION

The Chair referred to the item on the work programme for the meeting on the 22nd July 2021 for a review of the New Waste Service Implementation. As representatives of the contractor, FCC Environment (FCC), had recently attended two Council meetings (Extraordinary Overview and Scrutiny on 10th June 2021 and Full Council on 27th June 2021), the Chair asked the Committee to rescind the request made at the Overview and Scrutiny meeting on 21st June 2021 for FCC representatives to attend in person. This was agreed to by the Committee. The Chairman then proposed new recommendations which were voted on and agreed.

Following a request from a Member to see the legal obligation between FCC and the Council, the Chair said that he was meeting with the Monitoring Officer later and would raise this request. It was confirmed that the Executive were still meeting weekly with the contractor.

It was then:

RESOLVED

1. That the attendance of FCC representatives to the meeting on 22nd July 2021 be postponed and that the representatives attend the Committee meeting on 30th September 2021 instead;
2. That the Lead Executive Member for Waste and Recycling, and relevant officers be requested to attend the meeting on 22nd July 2021 to provide an update on the performance of FCC and actions taken to bring about sustained improvements in the delivery of the waste service; and
3. That a report be provided to the Committee meeting to be held on 30th September 2021 on action to be taken by Council to bring about a fully operational waste service as originally provided for by the contract between FCC and Council.

(Meeting started at 2:00 pm and concluded at 3:19 pm)

Chairman

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**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Repton Room, Follaton House, Totnes, on
THURSDAY, 22 JULY 2021**

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

Other Members also in attendance:
Cllrs N A Hopwood, T Holway, and J A Pearce

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Deputy Chief Executive, Director of Governance & Assurance, Monitoring Officer, and Democratic Services Specialist
Item 7	O&S.07/21	Senior Specialist – Climate Change
Item 8	O&S.08/21	Business Manager – Specialists and Customer Service Improvement Manager

O&S.11/21 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 1 July 2021 were confirmed as a correct record.

O&S.12/21 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.13/21 PUBLIC FORUM

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

O&S.14/21 SOUTH DEVON AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

The Manager of South Devon Area of Outstanding Natural Beauty gave an update to the Committee where he outlined the history of the South Devon AONB and how this organisation interacted with South Hams District Council.

The Manager responded to a number of Member questions and it was agreed that he would circulate a follow up submission to Members outside of this meeting.

O&S.15/21 **UPDATE ON THE PERFORMANCE OF FCC**

The Executive Member with responsibility for Waste and Recycling, along with relevant officers, presented a report which provided an update on the Council's waste and recycling contractor's (FCC) performance since the Overview and Scrutiny Committee meeting held on 10 June 2021 and the Extraordinary Council meeting held on 17 June 2021, as requested at previous Overview and Scrutiny Committee meetings (minutes O&S.03/21 and O&S10/21 refer).

During the update the following points were made:

- While an improvement in performance was acknowledged, it was far from the improvement the Committee had been expecting. However, the 'pingdemic' and national lack of HGV drivers were noted as having impacted on performance. FCC's action to increase resources in the area was noted.
- The Vice Chair gave his thanks to the Executive Member, the Deputy Chief Executive, and the Waste Team for their continued hard work in attempting to resolve this issue.
- Section 2.7 *Missed Bins* was highlighted: contractual levels were 240 per month, but were currently averaging at 50 per day. Members considered this to be deeply regrettable.
- It was estimated that in the region of 500 households were still not receiving a consistent recycling service.
- Officers were interrogating data from FCC to ensure quality of service on a daily basis, and contacting customers with historical complaints to ensure there was no longer an issue.
- FCC were looking to increase storage space for vehicles and increase bay size at the Ivybridge depot. FCC were also reviewing rounds to ensure the correct mix of vehicles were in place.
- The Council would require a 'cast iron' confirmation from FCC that all issues could be resolved to the timescale that had been agreed at the Extraordinary Council meeting.
- The Lead Executive Member thought that the issues would not be resolved before the end of this calendar year, but reiterated his

commitment to getting the service up and running as quickly as possible.

In light of some Members wishing to raise points that were considered to be of an exempt nature, it was:

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 3 of Schedule 12A to the Act is involved.

Once all Members were content that they had no further exempt issues or questions to raise, it was then:

RESOLVED

That the press and public be re-admitted to the Meeting.

It was then:

RESOLVED

That the Committee

1. is disappointed in the failure of FCC to fulfil its obligations in respect of all the services it is contracted to supply to Council and calls upon them to implement Devon aligned service across the District as soon as possible; and
2. Requests the Executive Member and officers to provide a performance report on all services provided by FCC by 15 August 2021.

O&S.16/21 **TASK AND FINISH GROUP UPDATES**

(a) Climate Change & Biodiversity Action Plan

Membership of the Task & Finish Group was confirmed. Members were reminded that, in accordance with the revised Council Constitution, substitutions were permitted but the request was time bound.

It was then:

RESOLVED

That the first meeting be held virtually over Teams on 19 August 2021 at 10:00 am and that a draft set of Terms of Reference to underpin this Review be presented to this meeting for approval.

O&S.17/21 **2021/22 PANEL WORK PROGRAMME – LATEST VERSION**

Following discussions it was agreed that:

- Council delivery corporate theme 1 would be moved to 4 November 2021 Committee meeting.
- Devon Home Choice report would be brought to next meeting on 30 September 2021.
- Whilst confirmation of attendance was awaited, the Dartmoor National Park Chief Executive had been invited to attend the 30 September Committee meeting.
- Two dates to be fixed at the next meeting for Devon Health & Wellbeing Board and Broadband & Connecting Devon and Somerset representatives to attend.

(Meeting started at 2:00 pm and concluded at 3:41 pm)

Chairman

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in THE REPTON ROOM, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 28 JULY 2021

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (Chairman)	*	Cllr G Pannell
*	Cllr D Brown	*	Cllr P Smerdon (substituting for Cllr K Pringle)
*	Cllr R J Foss (Deputy Chair)	*	Cllr H Reeve
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr K Kemp	*	Cllr B Taylor

Other Members also in attendance and participating:
Cllrs L Austen and J Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Senior Specialist – Development Management; Legal Officer; Planning Specialists; IT Specialist; and Democratic Services Officer

DM.13/21 MINUTES
The minutes of the meeting of the Committee held on 23rd June 2021 were confirmed as a correct record by the Committee.

DM.14/21 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 B Taylor declared a personal interest in applications 2555/21/VAR, 0549/21/HHO, and 3018/20/FUL (Minutes DM.16/21(a), (b) and (c) below refer) as he was a Member of the South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon;

DM.15/21 PUBLIC PARTICIPATION
The Chairman noted the list of members of the public, and town and parish council representatives who had registered their wish to speak at the meeting.

DM.16/21 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:

6a) 1944/19/FUL Land between 19 & 21 Clayman's Path, Ivybridge, PL21 9UZ

Town: Ivybridge

Development: Construction of new dwelling with associated groundworks and landscaping.

Case Officer Update: The Case Officer confirmed that this application had been presented to the last Committee meeting held on 23 June 2021. A further two letters of representation had been received, with the applicant's response set out in the published agenda report. The Committee had received photographs prior to this meeting, submitted by a member of the public, which contained images of the Devon County Council (DCC) wall on the nearby Persimmon estate. Members of the Committee were reminded that this was not within the scope of this application.

It was clarified that the drainage specialist quoted at the last Committee meeting had been an in-house officer rather than employed by DCC. Following modelling of the scheme, it had been determined that DCC's bund wall would only overtop if the culvert were to block. As the flood elevation scheme was a matter for DCC, the Officer recommended secondary flood mitigation measures should be put in place and therefore conditioned. The Environment Agency had not objected and South West Water had confirmed there was sufficient capacity in the main sewer to accommodate the extra foul water should the application be built.

Speakers included: Supporter – Ms G Baker; Ward Member – Cllr Lance Austen;

Recommendation: Conditional approval

Committee decision: Conditional approval

Conditions:

- Time Limit (3 years);
- Adherence to plans;
- Compliance with Sustainability Statement in Design & Access Statement;
- Vehicle Parking spaces to be provided as shown prior to first occupation of dwelling and retained thereafter;
- Refuse and recycling receptacle provision prior to first occupation of dwelling and retained thereafter;
- Permitted Development Removal for extensions and outbuildings;
- Surface water drainage details;
- On-site flood mitigation features plan for agreement;
- No alteration to garden layout with regard to position and height of dwarf walls

and level details acknowledged in the on-site flood mitigation features plan to be submitted;

- No extensions or outbuildings to be erected within 2m of the DCC Flood Mitigation Wall shown on the onsite flood mitigation plan that shall be submitted; and
- Prior to occupation, an 'as constructed survey' is to be submitted to ensure that the finished floor level and dwarf walls have been constructed in the correct position, level and at the gradients identified in the onsite flood mitigation plan.

6b) 2555/21/VAR

Car Park Creek, Gould Road, Salcombe

Town: Salcombe

Development: Variation of condition 2 (approved plans) of planning permission 1505/19/FUL

Case Officer Update: The Case Officer highlighted the changes to the application and confirmed there were no changes to roof height.

Speakers included: Ward Members – Cllrs M Long and J Pearce

Recommendation: Delegate to Head of Development Management to conditionally approve, subject to no material planning objections being received prior to the close of the consultation publicity end date of 29/7/21.

Committee decision: Delegate to Head of Development Management to conditionally approve, subject to no material planning objections being received prior to the close of the consultation publicity end date of 29/7/21.

Conditions:

1. Time as per original permission
2. Accord with plans
3. Hard/Soft Landscaping
4. Materials to be agreed
5. Parking to be provided and retained
6. Unexpected contaminated land
7. Vegetation Removal
8. Use- Light Industrial (Class E) Industrial (B2) and Storage and Distribution (B8)
9. Oil Interceptor
10. Drainage - PTC
11. Chemical Storage
12. LEMP
13. Approved Drainage Details
14. Foul Drainage
15. Accord with flood management details

- 16. Construction Management Plan (Highways)- PTC
- 17. Tree Protection Plan- PTC
- 18. Resiting of recycling bins- PTC

6c) 0594/21/HHO 2 Devon Villas, Devon Road, Salcombe, TQ8 8HD

Town: Salcombe

Development: Householder application for proposed single garage with stone façade and garden roof terrace

Case Officer Update: The application was outlined and would be part retrospective. The original application had been refused and, in the opinion of the Case Officer, the new application was insufficiently different to warrant approval.

Speakers included: Supporter – Mr R Atkinson; Ward Members – Cllrs J Pearce and M Long;

Whilst one Ward Member felt that the application should be refused because of the lack of changes to the original application, and that the impact on the Conservation Area was too severe to approve, the other Ward Member felt that the plans were sufficiently different and constituted a softer design, thereby limiting the impact on the Conservation Area.

Recommendation: Refusal

Committee decision: Delegate authority to the Head of Development Management, in consultation with the Committee Chairman and proposer and seconder of the motion, to conditionally approve.

Conditions:

1. 3 year time limit
2. Accord with plans
3. Landscaping and finishes
4. Incidental use and storage of motor vehicle only

6d) 3018/20/FUL “Land at SX 802 432”, Old Quarry Farm, Stokenham, TQ7 2TA

Parish: Stokenham

Development: Provision of an agricultural storage building

Case Officer Update: Further to the site visit, the Case Officer confirmed the

ridge height and, as requested, included the landscaping scheme.

Speakers included: Supporter – Mr Lethbridge; Ward Member – Cllr J Brazil;

As this application was in the Chair's local Ward, the Vice Chairman took over the chairmanship of the Committee for this application.

During questions, it was clarified that the field already had a serviceable access to the site up the hill; that landscaping would reduce the impact on the area and the site was below skyline; less impact on the village; that building the barn at this site would be outside of the minimum distance to dwellings should the use later be requested to accommodate livestock; and the application had the support of the local Parish Council and neighbours.

During the debate, Members felt that the slight increase in visual impact was outweighed by the mitigation which was greater. The impact of vehicular activity through the village would be significantly increased, especially at particular times of the year, if the barn was located lower down the valley. One Member pointed out the loss of 20 metres of hedgerow and visible scarring of the field to put in access to the barn lower down the field.

Recommendation: Refusal

Committee decision: Delegate authority to the Head of Development Management, in consultation with the Committee Vice-Chairman and proposer and seconder of the motion, to conditionally approve.

Conditions to include, but not limited to, landscaping plan, materials, time limits, accord with plan, written scheme of archeological pre start, drainage, restricted to agricultural, no external lighting, and remove building when no longer required.

Conditions:

1. 3 Year time limit
2. Accord with plans
3. Written Scheme of Investigation
4. Surface water drainage
5. Agricultural storage only
6. Landscaping scheme
7. No external lighting
8. Remove when no longer required for agriculture

6e) 0176/21/FUL

Marlands Farm, Newton Road, Totnes, TQ9 6LS

Parish: Berry Pomeroy

Development: Erection of self-build/custom-build house

Case Officer Update: The position of the request bus stops was clarified.

Speakers included: Supporter – Mr T Morris;

During the debate, some Members felt that the local bus service, combined with the easement granting the occupier a right of way on the private footpaths, plus the requirement to keep the dwelling as an affordable unit for a local person, was sufficient to mitigate the unsustainable objection of the officers to this site and that this application would be re-considered by the Committee if the easement/right of way on the footpaths could not be achieved. It was therefore decided to condition through section (Section 106) for affordable housing set at 20% discount, and for securing a right of way in perpetuity over land to connect to the A381 and also into Totnes via the railway bridge.

Recommendation: Refusal

Committee decision: Conditional approval with the exact wording of the conditions being delegated to the Head of Development Management, in consultation with the Committee Chairman, Proposer and Seconder of the motion and local Ward Member

Conditions:

1. Time as per original permission
2. Accord
3. Details of materials
4. Drainage details
5. Low Carbon development
6. Landscaping (including the protection of existing hedges)
7. Unexpected land contamination
8. No external lighting
9. Removal of permitted development rights

DM.17/21 PLANNING APPEALS UPDATE

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

The Senior Specialist, Development Management provided further details on specific recent appeal decisions.

DM.18/21 UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the list of undetermined major applications.

(Meeting commenced at 10:00 am and concluded at 1:31 pm, brief interludes at 11:05 am and 12:37 pm.)

Chairman

Voting Analysis for Planning Applications – DM Committee 28th July 2021

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
1944/19/FUL	Land between 19 & 21 Clayman's Pathway, Ivybridge, PL21 9UZ	Approval	Cllrs Brazil, Foss, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)	Cllrs Abbott, Hodgson, Kemp (3)	Cllr Brown (1)	
2555/21/VAR	Car Park Creek, Gould Road, Salcombe	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (12)			
0594/21/HHO	2 Devon Vilas, Devon Road, Salcombe, TQ8 8HD	Refusal	Cllrs Brazil, Brown, Foss, Kemp (4)	Cllrs Abbott, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)		
0594/21/HHO	2 Devon Vilas, Devon Road, Salcombe, TQ8 8HD	Approval	Cllrs Abbott, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)	Cllrs Brazil, Brown, Foss, Kemp (4)		
0518/20/FUL	"Land at SX 802 432", Old Quarry Farm, Stokenham, TQ7 2TA	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (12)			
0176/21/FUL	Marlands Farm, Newton Road, Totnes, TQ9 6LS	Approval	Cllrs Abbott, Brazil, Brown, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (11)		Cllr Foss (1)	

**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
HELD IN THE REPTON ROOM, FOLLATON HOUSE, PLYMOUTH ROAD, TOTNES
ON THURSDAY, 2 SEPTEMBER 2021**

Members in attendance			
* Denotes attendance			
∅ Denotes apology for absence			
*	Cllr L Austen (Chairman)	*	Cllr R Rowe
*	Cllr J Brazil	*	Cllr B Spencer (Vice-Chairman)
*	Cllr J McKay	*	Cllr B Taylor
∅	Cllr J T Pennington		

Member(s) also in attendance:
Cllr H D Bastone

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Section 151 Officer and Democratic Services Manager

A.7/21 MINUTES

The minutes of the Audit Committee meeting held on 1 July 2021 were confirmed as a true and correct record.

A.8/21 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 none were made.

A.9/21 CHAIRMAN’S ANNOUNCEMENTS

The Chairman reminded the Committee that, at its last meeting held on 1 July 2021, there had remained some outstanding questions for the attention of Grant Thornton (the Council’s External Auditors) during consideration of the annual Audit Plan (Minute A.3/21 refers).

It was noted that responses had now been received and they were outlined as set out below:

Question 1: ‘the Committee reiterated its previously held view that a 27% increase in Audit Fees was excessive. Would the Council therefore receive 27% extra auditor hours on its audit to reflect the increased Fee?’

Grant Thornton representatives had subsequently provided the following response:

'The increase in Fees addresses a number of additional requirements and responsibilities placed on us as auditors. Whilst the Audit Fee does not cover a set number of 'days' as an internal audit contract would and instead covers the cost of delivering the external audit, the increase in costs arise directly as a result of the increased time that is required to complete our external audit. Audits are taking significantly longer to deliver to the required quality standard for a number of reasons and this can be seen quite clearly in the number of audit opinions that were issued by the target date of 30 November 2020 for the 2019/20 and the deterioration in performance over the last few years. This is a direct impact of more work meaning audits take significantly longer to complete which can be seen by the number of audits completed by the target date of the last few years:

	2016/17	2017/18	2018/19	2019/20	2020/21
<i>Draft Accounts</i>	30 June	31 May	31 May	31 Aug	31 July
<i>Audited Accounts target</i>	30 Sept	31 July	31 July	30 Nov	30 Sept
<i>% achieving audit target</i>	95%	87%	57%	45%	?

Our expectation is that the audit will take at least the 27% extra that was quoted to complete and in all likelihood even longer than this.

PSAA (Public Sector Audit Appointments) ultimately will determine the appropriateness of these fees in their statutory role.'

Question 2: 'Do Grant Thornton have the relevant knowledge and expertise in Pensions for the increased work on Pensions in the audit?'

The Council had since received the following response from Grant Thornton representatives:

'As your external auditors, we possess the relevant experience and qualifications to consider the financial statements and related accounting entries. This also includes the estimates that management include in the financial statements and that you as those charged with Governance oversee. For the pension liability, management conclude that they need external expertise in the form of their actuary in order to calculate the estimate. This calculation is complex and relies on a number of assumptions. The outputs are also dependent upon the information provided to the actuary by the Council and the Pension Fund.

For our audit work, we (the audit team) are able to confirm:

- *The accounting entries are appropriately disclosed and included in the accounts, with reference to the actuary's report;*
- *That the data submitted to the actuary by the Council was appropriate, can be reconciled to payroll systems and is consistent with the payroll information provided to us to support our other testing and with the wider financial statements; and*
- *That the data submitted by the Pension Fund is appropriate (by writing to the Pension Fund auditor and requesting various assurances).*

We are not trained actuaries and therefore the National Audit Office engage Price Waterhouse Coopers (PWC) as an auditor's expert on behalf of all local government auditors. PWC consider the methodologies and assumptions applied by the various Local Government actuaries and provide information and assurance to us as external auditor which we review and consider as part of our work in order to provide us with the expert input on methodology and assumptions.

We are also able to call on other expert advice as and when it is needed, be that from actuaries employed by Grant Thornton or by other organisations. An example of when Grant Thornton did this nationally was 2018/19, the first year that the McCloud ruling had a potential impact on Local Government financial statements. This provided us as auditors with further subject matter expert advice. This would tend to be an exception rather than the norm and would be for one-off events or if the methods and assumptions applied by the actuarial firms and considered on our behalf by PWC.'

A.10/21

DRAFT STATEMENT OF ACCOUNTS AND DRAFT ANNUAL GOVERNANCE STATEMENT 2020/21

The Committee considered a report that presented the draft Statement of Accounts and draft Annual Governance Statement for 2020/21

In discussion, the following points were raised:-

- (a) In response to a query on the waste contract, the Section 151 Officer advised that greater financial information relating to the contract would be subject to a report to be presented to the Executive meeting to be held on 16 September 2021;
- (b) For 2020/21, it was noted that the Council's Council Tax collection rates were 2% above the national average and the Business Rates collection rates (91.74%) were slightly lower than the national average (93%). It was confirmed that this was consistent with the results that were experienced by other Local Authorities across Devon. Given the impact of the COVID-19 Pandemic, the Committee felt that the collection figures were to the great credit of both local residents and local businesses. However, Members did also request that officers consider whether this matter should be included within the Council's Risk Register;

- (c) The Committee was advised that the findings of the most recent Staff Survey would be shared with all Members via a future Bulletin edition. In recognition of the importance of staff morale, the Committee also highlighted the reference in the draft Annual Governance Statement to the fact that the annual staff awards event had not been held recently due to the COVID-19 Pandemic. As a consequence, an additional recommendation was **PROPOSED** and **SECONDED** as follows:

*'That, given that a staff awards event had not been held since the COVID-19 Pandemic, the Committee **RECOMMEND** that the Senior Leadership Team organise and plan an event to highlight the important role that officers have played in supporting our communities throughout the Pandemic; with the event being ideally held before Christmas and with elected Member input into the event.'*

In discussion, support was expressed for the additional recommendation. However, a Member did make the point that the prizes associated with the event needed to be considered meaningful;

In concluding the debate, the Chairman felt that both the draft Statement of Accounts and the draft Annual Governance Statement had excellently summarised what had been an extraordinary year and the contents of both draft documents were commendable.

It was then:

RESOLVED

1. That the Draft Statement of Accounts and the Draft Annual Governance Statement (AGS) for the financial year ended 31 March 2021 be noted; and
2. That, given that a staff awards event had not been held since the COVID-19 Pandemic, the Committee **RECOMMEND** that the Senior Leadership Team organise and plan an event to highlight the important role that officers have played in supporting our communities throughout the Pandemic; with the event being ideally held before Christmas and with elected Member input into the event.

(Meeting commenced at 2.00 pm and concluded at 3.00 pm)

Chairman

**MINUTES OF A SPECIAL MEETING OF
THE EXECUTIVE
HELD IN THE REPTON ROOM ON THURSDAY, 9 SEPTEMBER 2021**

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

Also in attendance:	
Cllr Birch	

Officers in attendance and participating:		
All items		Chief Executive; Section 151 Officer; Director of Place and Enterprise; Monitoring Officer; and Democratic Services Manager

E.26/21 MINUTES

The minutes of the Executive meeting held on 8 July 2021 were confirmed as a true and correct record.

E.27/21 URGENT BUSINESS

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

E.28/21 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 there were none made.

E.29/21 EXCLUSION OF PUBLIC AND PRESS

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 3 of Schedule 12A to the Act is involved.

E.30/21 PLYMOUTH AND SOUTH DEVON FREEZONE

Consideration was given to an exempt report that sought approval for the submission of the Outline Business Case that recognised the costs and benefits of the Plymouth and South Devon Freezone.

In discussion, the following points were raised:-

- (a) Whilst the project was seen to represent an exciting opportunity, Members did also acknowledge that there were a number of associated risks that would need to be weighed up before any final decisions were taken;
- (b) The all Member Briefing that had been held earlier in the morning was felt to have been particularly useful. In recognition of the importance of all Members fully understanding the proposals and the significance of the project, officers committed to providing regular briefing notes and an informal Briefing to all Members prior to any final decision being required by Full Council;
- (c) Both the Director of Place and Enterprise and Section 151 Officer were formally thanked by Members for the immense amount of work that they had both put in to reaching this project milestone.

It was then:

RESOLVED

1. That approval be given to the submission of the Outline Business Case (OBC) to Government for the Plymouth and South Devon Freezone proposal, including the re-circulation of Business Rates from the Freezone to support Freezone job creation and activity;
2. That, should the timeline for submission of the OBC be changed by the Ministry of Housing, Communities and Local Government (MHCLG) to a later date, the Director of Place and Enterprise be given delegated authority, in consultation with the Leader of the Council and the lead Executive Member for Economy, to update the OBC as necessary ahead of the submission;
3. That it be noted that, subject to OBC approval from Government, a Full Business Case will need to be submitted before Christmas 2021, finalising the funding arrangements (***NB the timeline may be subject to change***); and
4. That it be noted that a further report will be brought back to a future meeting of the Executive and Full Council to approve the submission of the Full Business Case and associated decisions.

(Meeting commenced at 11:30 am and concluded at 11.45 am)

Chairman

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