

# South Hams Council



<b>Title:</b>	<b>Agenda</b>																														
<b>Date:</b>	<b>Thursday, 31st March, 2022</b>																														
<b>Time:</b>	<b>2.00 pm</b>																														
<b>Venue:</b>	<b>Council Chamber - Follaton House</b>																														
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Foss <b>Vice Chairman</b> Cllr Austen</p> <p><i>Members:</i></p> <table><tr><td>Cllr Abbott</td><td>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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<b>Interests – Declaration and Restriction on Participation:</b>	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.																														
<b>Committee administrator:</b>	Democratic.Services@swdevon.gov.uk																														

<b>1. Minutes</b>	<b>1 - 14</b>
to approve as a correct record the minutes of the meeting of the Council held on 10 February 2022;	
<b>2. Urgent Business</b>	
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');	
<b>3. Exempt Information</b>	
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;	
<b>4. Declarations of Interest</b>	
In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;	
<b>5. Business Brought Forward by the Chairman</b>	
to consider business (if any) brought forward by the Chairman;	
<b>6. Chairman's Announcements</b>	
<b>7. Plymouth and South Devon Freeport Update</b>	<b>15 - 50</b>
<b>8. Fusion Lifestyle - Leisure Contract Support Update</b>	<b>51 - 132</b>
<b>9. Regeneration and Investment Strategy</b>	<b>133 - 144</b>
<b>10. 2022/23 Capital Strategy; 2022/23 Treasury Management Strategy; and 2022/23 Investment Strategy</b>	<b>145 - 202</b>
<b>11. Pay Policy Statement and Pay and Reward Strategy</b>	<b>203 - 220</b>
<b>12. Ringmore Neighbourhood Plan</b>	<b>221 - 322</b>
<b>13. Honours Board – South Hams District Council Chairmen</b>	<b>323 - 328</b>
<b>14. Grant to the Ukraine Humanitarian Appeal</b>	<b>329 - 340</b>

**15. Reports of Bodies**

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

(\* Indicates minutes containing recommendations to Council).

<b>(a) Audit Committee - 9 December 2021*</b>	<b>341 - 348</b>
<b>(b) Salcombe Harbour Board - 24 January 2022</b>	<b>349 - 354</b>
<b>(c) Development Management Committee - 16 February 2022</b>	<b>355 - 362</b>
<b>(d) Council Tax Setting Panel - 22 February 2022</b>	<b>363 - 366</b>
<b>(e) Executive - 3 March 2022*</b>	<b>367 - 374</b>
<b>16. Public Question Time</b>	<b>375 - 376</b>

**17. Questions**

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

**a) From Cllr McKay to Cllr Pearce, Leader of the Council**

*'The Leader will be aware of the Constitution-Part 4-Council Procedure Rules- Rule 13 which states: (removed due to 50 word rule).*

*Does the Leader agree that this rule provides a framework for the Council to consult with its residents and why has it not been employed?'*

**b) From Cllr O'Callaghan to Cllr Pearce, Leader of the Council**

*'Is it true that SHDC missed the deadline set by the Information Commissioner to reply to a resident making FOI requests in relation to the council's waste management contract? If so, why did this happen and have we ensured the resident got replies – and that other FOI requests do too?'*

**c) From Cllr Pannell to Cllr Pearce, Leader of the Council**

*'Will the Leadership of this Council consider following the example of Cornwall Council to devolve control and ownership of a number of its car parks to town and parish councils on the grounds that local people best understand local needs and how to manage them and, if not, why not?'*

**d) From Cllr McKay to Cllr Pearce, Leader of the Council**

*'The Leader will be aware that the South Hams needs to reduce its emissions of GHG's by ~10% per year over 8 years if it is to achieve a 50% reduction by 2030. Does the Leader think the Council's Action Plan provides a framework for doing this, and why?'*

**e) From Cllr McKay to Cllr Pearce, Leader of the Council**

*'This Council has earmarked £600k for climate change and biodiversity, largely at the behest of the opposition. But why has so little of this money been spent on the myriad opportunities it must surely be aware of to address the Emergency it declared two and half years ago?'*

**18. Notice of Motion**

to consider the following motions received (if any) in accordance with Council Procedure Rule 10.1

**a) From Cllr Pearce and Cllr Hawkins**

*"South Hams District Council is immensely troubled by the horrific devastation in Ukraine, and the escalating terrible humanitarian crisis facing the country. In light of this, and as a way of expressing support for members of our communities\* who have ties with Ukraine:*

*This Council:*

- a) Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to the South Hams.*
- b) Stands ready to provide support to those affected by this War and will open our arms to people displaced and affected.*
- c) Will work with and support the efforts of our local communities to provide help and comfort to those in need.*

*\*We understand that there are no Ukrainian nationals living in the South Hams, but there are 29 in Torbay and 27 in Plymouth City Council areas. Anecdotally we believe a few at least may work in the South Hams or have very close relations who do. What the figures do not tell us is how many naturalised Ukrainians there may be in any of these areas and therefore how many family relations from the Ukraine may be joining them."*

**b) From Cllr McKay and Cllr Birch**

*'This Council recognises the fundamental importance of its Constitution to its governance and to the residents it serves and that the Constitution should provide a clear and concise account of its rules and procedures so that all*

*(Members, officers and the public) are able to understand them and to hold the Council to account where necessary.*

*This Council therefore resolves that:*

- 1. In recognition of its importance, no changes to the constitution should be made without full consultation with all members and approved by Full Council. Minor changes may be made but only where they are limited to correcting or improving layout, spelling or grammar and have regard to 2 below;*
- 2. All changes, including minor changes, are logged and a version history and change-log is maintained and published on the Council's website;*
- 3. The Constitution on the Council's website is always the latest approved version and marked as such, and there is access to archived versions;*
- 4. The Constitution is made available for download as a single pdf file;*
- 5. The website provides a means of searching the whole of the currently approved constitution, as published on its website;*

*and that the Constitution is updated to reflect this resolution.'*

**c) From Cllr McKay and Cllr Birch**

*'This Council recognises the importance of considering motions put to full council by Members in a fair and orderly way and resolves that any motions that are not heard, due to the 45 minute rule, or for any other reason that is time related, are automatically carried over to the next meeting and that the running order is preserved, and that the Constitution is updated to reflect this resolution.'*

**d) From Cllr McKay and Cllr Birch**

*'This Council recognises that its Constitution needs to provide the flexibility to allow officers to take swift action in the case of an emergency. However, it further recognises that at a time of emergency this Council needs to be kept informed and able to guide the response, and that any emergency powers taken must be ratified by Full Council within 14 days and every 30 day thereafter to ensure the Council is able to exercise proper democratic control over how it manages an emergency.*

*It is therefore resolved that Part 3a, section 7 should be modified so that any emergency powers taken by officers are time-limited as previously described.'*

