

South Hams Annual Council



Title:	Agenda																														
Date:	Thursday, 23rd May, 2024																														
Time:	10.00 am																														
Venue:	Council Chamber - Follaton House																														
Full Members:	<p style="text-align: center;">Chairman Cllr Pannell</p> <p style="text-align: center;">Vice Chairman Cllr Taylor</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 Jackson</td> </tr> <tr> <td>Cllr Allen</td> <td>Cllr Lawford</td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Long</td> </tr> <tr> <td>Cllr Bonham</td> <td>Cllr McKay</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Munoz</td> </tr> <tr> <td>Cllr Carson</td> <td>Cllr Nix</td> </tr> <tr> <td>Cllr Cooper</td> <td>Cllr O'Callaghan</td> </tr> <tr> <td>Cllr Dennis</td> <td>Cllr Oram</td> </tr> <tr> <td>Cllr Dewynter</td> <td>Cllr Penfold</td> </tr> <tr> <td>Cllr Dommett</td> <td>Cllr Presswell</td> </tr> <tr> <td>Cllr Edie</td> <td>Cllr Rake</td> </tr> <tr> <td>Cllr Hancock</td> <td>Cllr Steele</td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Thomas</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr Yardy</td> </tr> <tr> <td>Cllr Hopwood</td> <td></td> </tr> </table>	Cllr Abbott	Cllr Jackson	Cllr Allen	Cllr Lawford	Cllr Birch	Cllr Long	Cllr Bonham	Cllr McKay	Cllr Brazil	Cllr Munoz	Cllr Carson	Cllr Nix	Cllr Cooper	Cllr O'Callaghan	Cllr Dennis	Cllr Oram	Cllr Dewynter	Cllr Penfold	Cllr Dommett	Cllr Presswell	Cllr Edie	Cllr Rake	Cllr Hancock	Cllr Steele	Cllr Hawkins	Cllr Thomas	Cllr Hodgson	Cllr Yardy	Cllr Hopwood	
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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. South Hams Community Awards Presentation

2. Election of the Chairman of the Council;

The Chairman will then read and sign the declaration of acceptance of office;

3. Address by the New Chairman of Council

4. Vote of thanks to the Retiring Chairman

5. Response by the Retiring Chairman

6. Appointment of the Vice Chairman of the Council

The Vice Chairman will then read and sign the declaration of acceptance of office;

7. Minutes

1 - 12

to approve as a correct record the minutes of the meeting of the Council held on 21 March 2024;

8. Declarations of Interest

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;

9. Annual Statement from the Leader of Council

10. Representation on Political Groups

to approve a review carried out in consultation with leaders of the Political Groups. This is reflected in the list of Council Bodies – see item 11 below;

to follow

11. Appointment of Members (and Substitute Members) of the Bodies of the Council

to appoint the Members of the following Council Bodies for the 2024/25 Municipal Year:-

a) Audit & Governance Committee;

- b) Council Tax Setting Committee;
- c) Development Management Committee;
- d) Licensing Committee; and
- e) Overview & Scrutiny Committee.

To follow

12. Election of Chairman and Vice-Chairman of those Bodies of the Council

to elect the Chairman and Vice-Chairman of the following Bodies of the Council for the 2024/25 Municipal Year:-

- a) Audit & Governance Committee;
- b) Council Tax Setting Committee;
- c) Development Management Committee;
- d) Licensing Committee; and
- e) Overview & Scrutiny Committee.

To follow

13. Appointment of Governance Boards / Panels

to agree to the appointment of the following Groups for the 2024/25 Municipal Year:-

- a) Devon Building Control Partnership;
- b) Director – Plymouth & South Devon Freeport;
- c) Joint SH/WD/Plymouth Local Plan Partnership Board;
- d) Member Development Steering Group
- e) Rate Relief Panel;
- f) Slapton Line Steering Group;
- g) South Devon National Landscapes Partnership Committee; and
- h) Tamar Valley National Landscapes Partnership Committee.

To follow

14. Appointment of Representatives on Outside Bodies

to agree to the appointment of Members as representatives on Outside Bodies for the 2024/25 Municipal Year;

NOTE: Although some of these appointments are accepted by the “Outside Bodies” for a period of years, it is the Council’s practice where possible to review all appointments annually.

To follow

15. 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;

16. 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;

17. Appointment of Independent Persons - Standards Function and Audit & Governance Committee

To follow

18. Review of the Council Constitution

To follow

19. 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.

(a)	Development Management Committee - 13 March 2024	13 - 18
(b)	Overview & Scrutiny Committee - 14 March 2024	19 - 22
(c)	Audit & Governance Committee* - 21 March 2024	23 - 26
	Minute AG.40/23 2024/25 Capital Strategy, 2024/25 Treasury Management Strategy And 2024/25 Investment Strategy	
	(Note: This item was considered at the meeting of Full Council on 21 March 2024 (Minute 58/23 refers))	
(d)	Audit & Governance Committee - 28 March 2024	27 - 34
(e)	Development Management Committee - 10 April 2024	35 - 40
(f)	Executive - 18 April 2024	41 - 50

Agenda Item 7

MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 21 MARCH 2024

MEMBERS

* Cllr G Pannell – Chairman

* Cllr B Taylor – Vice-Chairman

- | | |
|--------------------|------------------------|
| * Cllr V Abbott | * Cllr S Jackson |
| * Cllr G Allen | * Cllr L Lawford |
| * Cllr J P Birch | * Cllr M Long |
| * Cllr L Bonham | * Cllr J McKay |
| * Cllr J Brazil | ∅ Cllr P Munoz |
| * Cllr J Carson | * Cllr A Nix |
| * Cllr B Cooper | * Cllr D M O’Callaghan |
| * Cllr S Dennis | * Cllr C Oram |
| * Cllr A Dewynter | * Cllr S Penfold |
| * Cllr N Dommett | * Cllr A Presswell |
| * Cllr T Edie | * Cllr S Rake |
| * Cllr D Hancock | * Cllr M Steele |
| * Cllr J D Hawkins | * Cllr D Thomas |
| * Cllr J M Hodgson | * Cllr G Yardy |
| * Cllr N A Hopwood | |

* Denotes attendance

∅ Denotes apology for absence

** Denotes attendance over Teams in a non-voting capacity

Officers in attendance and participating:

For all items: Chief Executive; Section 151 Officer; Deputy Monitoring Officer; Head of Democratic Services; Assistant Director – Strategy (via Teams); Head of Finance (via Teams) Head of Environmental Health & Licensing; Head of Revenues & Benefits and Devon County Council representative (via Teams)

54/23 **MINUTES**

The minutes of the Council meeting held on 15 February 2024 were confirmed as a true and correct record.

55/23 **DECLARATIONS OF INTEREST**

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

With regard to agenda item 7 (Proposed Devon & Torbay Combined Authority and Devolution Deal (Minute 57/23 below refers)), by virtue of being Members of Devon County Council, Cllrs J Brazil, D Thomas and J Hawkins, each declared a non-registerable interest in the item and as such took part in the debate but abstained from the vote thereon. Having sought the advice of the Deputy Monitoring Officer, Cllr J Hodgson advised that,

whilst she was also a Member of Devon County Council, she was not minded to declare an interest in this agenda item and proceeded to take part in the debate and vote thereon;

Cllr D O'Callaghan also declared a personal interest in agenda item 7 (Proposed Devon & Torbay Combined Authority and Devolution Deal (Minute 57/23 below refers)), by virtue of being a member of the South Hams Society and remained in the meeting during the debate and vote thereon.

56/23 **PUBLIC QUESTION TIME**

It was noted that no public questions had been received in accordance with the Council Procedure Rules for consideration at this meeting.

57/23 **PROPOSED DEVON & TORBAY COMBINED AUTHORITY AND DEVOLUTION DEAL**

Members considered a report that set out details of the Devon Devolution Deal and the proposed formation of a Combined Authority by Devon County Council and Torbay Council and sought the Council's response to the associated consultation exercise.

During debate, particular reference was made to:

- (a) an alternative recommendation was **PROPOSED** and **SECONDED** that read as follows:

"This Council raises the following concerns in respect of the proposed Devon and Torbay Devolution Deal and with it the additional tier of local government in Devon and Torbay, known as the Devon and Torbay Combined County Authority:

- 1. While we support the principle of devolution and welcome additional funding for this region, the proposal risks making local government more complex by adding a layer of bureaucracy;*
- 2. While the additional £16 million of capital funding is a positive step, that it is only for two years means that it will not provide the long-term solutions that the region needs;*
- 3. The fact that spending plans must be signed-off by central government disqualifies the plan from being true devolution of powers;*
- 4. The proposed combined authority's remoteness and lack of democratic accountability, including the lack of voting rights for District Councils, further disqualifies it from being described as "devolution";*
- 5. The Council welcomes the proposed devolution of the Adult Education Budget because local control is more likely to deliver*

for local need. We hope that local control of this budget will enable Devon's known problems in social mobility and productivity to be addressed;

- 6. The government's document entitled "Devon and Torbay Devolution Deal" indicates that this is the first step in the reorganisation of local government in Devon and Torbay. Whilst we would welcome the genuine devolution of more powers to Devon, we are concerned that the intention as stated threatens the existence of district councils, the loss of effective local governance and may establish rule by a body that is remote and out of touch;*
- 7. The concerns set out in the Council's report dated 21 March 2024 in respect of economic development, housing, governance, voting rights, transport and community; and*
- 8. The cost and additional layer of local government will in itself hamper any improvement in the local services it is intended to improve and may result in their decline.*

The Council calls for the process to be postponed pending the outcome of the forthcoming General Election and 2025 County Council elections.

The above resolution be submitted as the Council's response in the consultation being undertaken.

If and when the devolution deal proceeds:

The council notes the fact that a portion of this money will be allocated for a Small Sites Green Investment programme. This council proposes that an element of the Small Sites Green Investment programme be allocated to support community-led housing developments to improve energy efficiency, reduce embedded carbon and improve biodiversity."

In support of this alternative recommendation, the proposer made reference to:

- his view that the proposals did not constitute true 'Devolution' and could instead be interpreted as a precursor to the abolition of true local democracy;
- the lack of reference in the proposals to the financial positions of both Devon County and Torbay Councils;
- his concerns relating to transparency and the loss of democracy; and
- the financial implications arising from this additional level of bureaucracy no doubt falling on the Council Taxpayer;

- (b) Plymouth City Council (PCC). Given the close working relationship between PCC and the Council with regard to the Joint Local Plan, some Members emphasised the importance of a good working relationship being maintained with PCC;

- (c) the timing of these proposals. A Member cited the close proximity of the Parliamentary Elections and maintained the view that this proposal should be held in abeyance pending the outcome of these Elections;
- (d) voting rights. A number of Members echoed the disappointment expressed in the published agenda report in respect of Central Government having rejected the House of Lords amendment that would have permitted all district council partners to be constituent members of the Combined County Authority with full voting rights thereby reflecting their democratic mandate on behalf of Devon;
- (e) a suggested amendment was **PROPOSED** as follows:

*'This Council calls for the process to be **abandoned and for no further public money to be wasted on a deal that is not Devolution, with the £16 million allocated to instead be dispersed to the various local authority departments that are already in place.**'*

Prior to inviting a seconder for the amendment, the Chairman invited the Deputy Monitoring Officer to comment. In so doing, the Officer cited Procedure Rule 15.6 (Amendments to Motions) and expressed the view that the suggested amendment would negate the motion. Having received this advice, the Chairman did not invite a seconder;

- (f) some potential benefits arising from the proposals. A Member felt that, whilst the tone of the debate had been rather negative, there were also some potential benefits that would be generated from the proposals. For example, devolution of the Adult Education functions (and budget) should be welcomed.

It was then:

RESOLVED

1. That the Council raises the following concerns in respect of the proposed Devon and Torbay Devolution Deal and with it the additional tier of local government in Devon and Torbay, known as the Devon and Torbay Combined County Authority:
 - a) that whilst the principle of devolution was supported and additional funding for this region welcomed the proposal risked making local government more complex by adding a layer of bureaucracy;
 - b) that whilst the additional £16 million of capital funding was a positive step, it was only for two years and would not provide the long-term solutions that the region needed;
 - c) that as spending plans must be signed-off by central government the plan was disqualified from being true devolution of powers;
 - d) that the proposed combined authority's remoteness and lack of democratic accountability, including the lack of

voting rights for District Councils, further disqualified it from being described as “devolution“;

- e) that the Council welcomed the proposed devolution of the Adult Education Budget as local control was more likely to deliver for local need. Council hoped that local control of this budget would enable Devon’s known problems in social mobility and productivity to be addressed;
 - f) that the government’s document entitled “Devon and Torbay Devolution Deal” indicated that this was the first step in the reorganisation of local government in Devon and Torbay. Whilst Council would welcome the genuine devolution of more powers to Devon, it is concerned that the intention as stated threatened the existence of district councils, the loss of effective local governance and might establish rule by a body that was remote and out of touch;
 - g) that the Council raised concerns set out in the presented agenda report, in respect of economic development, housing, governance, voting rights, transport and community; and
 - h) that the cost and additional layer of local government would in itself hamper any improvement in the local services it was intended to improve and might result in their decline.
2. That the Council called for the process to be postponed pending the outcome of the forthcoming General Election and 2025 County Council elections;
 3. That the above resolution be submitted as the Council’s response in the consultation being undertaken: and
 4. That, if and when the devolution deal proceeds:

“The council notes the fact that a portion of this money will be allocated for a Small Sites Green Investment programme. This council proposes that an element of the Small Sites Green Investment programme be allocated to support community-led housing developments to improve energy efficiency, reduce embedded carbon and improve biodiversity.”

58/23

2024/25 CAPITAL STRATEGY; 2024/25 TREASURY MANAGEMENT STRATEGY; AND 2024/25 INVESTMENT STRATEGY

Consideration was given to a report recommending the approval of the proposed Capital Strategy, Investment Strategy and Treasury Management for 2024/25, together with their associated prudential indicators.

In the ensuing debate, the following points were raised:

- (a) The Chairman of the Audit & Governance Committee informed that the Committee had recommended approval of the three draft Strategies for 2024/25 at its meeting held earlier in the day;
- (b) The all Member Briefing that had been held on 18 March 2024 on these draft Strategies was particularly well received;
- (c) In reference to the declared Climate Change and Biodiversity Emergency, a Member stated that the Council must be mindful as to where its monies were being invested. The Member proceeded to emphasise that these investments must compliment (and not undermine) the Emergency. In reply, officers agreed to circulate advice to all Members that had been obtained from Link Services (the Council's Treasury Management advisors) with regard to fossil fuel investments.

It was then:

RESOLVED

1. That the following strategies for 2024-25 be approved:
 - i. the Capital Strategy (as attached at Appendix A of the published agenda report);
 - ii. the Treasury Management Strategy (as attached at Appendix B of the published agenda report); and
 - iii. the Investment Strategy (as attached at Appendix C of the published agenda report); and
2. That authority be delegated to the Section 151 Officer, in consultation with the Leader of the Council, to make any minor amendments to these Strategies, if required, throughout the 2024/25 Financial Year.

59/23

ANNUAL REVIEW OF HEALTH AND SAFETY POLICY STATEMENT

The Council considered a report that sought approval to adopt an updated Health and Safety Policy Statement.

In discussion, the following points were raised:

- (a) It was noted that a Health and Safety related all Member training/briefing session would be convened in the upcoming months as part of the Council's Member Learning and Development Plan;
- (b) Officers committed to circulating a copy of the latest Council Organisational Structure Chart to all Members following this meeting;
- (c) Given the reference in the Policy Statement to Health and Safety compliance being reported to the Audit and Governance Committee, it was agreed that an update should be added to that Committee Workplan.

It was then:

RESOLVED

That the Health and Safety Policy Statement be adopted and signed by the Head of Paid Service and the Leader of the Council.

60/23

PAY POLICY STATEMENT

In line with the requirements of the Localism Act 2011, Members considered a report that proposed adoption of the Pay Policy Statement for 2023/24.

In discussion, Members expressed their support for the contents of the Statement and it was then:

RESOLVED

1. That the Pay Policy Statement for 2023/24, as set out at Appendix A of the presented agenda report, be adopted; and
2. That it be noted that pay differentials in 2023 remained broadly similar compared to the previous 12 months.

61/23

DRAFT CALENDAR OF MEETINGS

Consideration was given to a report that presented the draft Calendar of Meetings for 2024/25 for adoption.

During debate, the following points were made:

- (a) Members welcomed the intention set out in the draft Calendar to move meetings of the Development Management Committee from Wednesdays to Thursdays;
- (b) In citing the effectiveness of remote Committee meetings during the Covid Pandemic, some Members regretted the fact that the ability for Members to vote remotely had since been removed. Such was the extent of the disappointment, that these Members were lobbying Central Government in an attempt to see this ability restored;
- (c) With regard to the start time of formal Member meetings, some Members felt that this issue warranted further consideration for future years. As a result, these Members asked that the Overview and Scrutiny Committee be encouraged to appoint a Task and Finish Group to review formal meeting start times prior to the 2025/26 Calendar of Meetings being presented for approval.

It was then:

RESOLVED

That the draft Calendar of Meetings for 2024/25 (as set out at Appendix A of the presented agenda report) be approved

62/23

REPORTS OF BODIES

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

(a) Budget Advisory Committee - 11 January 2024

(b) Overview & Scrutiny Committee - 8 February 2024

(c) Development Management Committee - 14 February 2024

(d) Special Executive - 21 February 2024

(e) Council Tax Setting Committee - 22 February 2024

(f) Executive - 7 March 2024

(i) Minute E.76/23 Climate Change Update & Devon, Cornwall and the Isles Of Scilly Climate Adaptation Plan

RESOLVED

That the Devon, Cornwall and the Isles of Scilly Climate Adaptation Plan (as set out at Appendix A of the presented agenda report to the Executive meeting) be endorsed.

(ii) Minute E.79/23 Housing Benefit War Pensions Disregard Policy

RESOLVED

That the Housing Benefit War Pensions Disregard Policy (as set out at Appendix A of the presented agenda report to the Executive Meeting) be adopted.

(iii) Minute E.80/23 Month 10 Revenue Budget Monitoring Report 2023/24

The view was expressed that the Council rarely sought to obtain costs as part of the planning appeal process and Members wished to encourage officers (where appropriate) to pursue this course of action.

It was then:

RESOLVED

That up to £170,000 of planning appeal costs be funded from the Business Rates Retention Earmarked Reserve (as detailed in paragraphs 3.5 to 3.7 of the presented agenda report to the Executive meeting).

(iv) Minute E.88/23 Fusion Lifestyle - Leisure Contract Update

It was noted that the Recommendations to Council contained therein were to be considered at Exempt Agenda Item 16 of this meeting (Minute 66/23 below refers).

(g) Special Executive - 13 March 2024

63/23

QUESTIONS ON NOTICE

It was noted that no Questions on Notice had been received in accordance with Council Procedure Rules.

(Note: At this point (3.25 pm), the meeting was adjourned for a period of 15 minutes).

64/23

MOTIONS ON NOTICE

It was noted that one Motion on Notice had been received in accordance with Council Procedure Rules, as follows:

a) From Cllrs McKay and O'Callaghan

"The Hunting Act 2004 made chasing wild animals with dogs illegal apart from the particular exempt forms of hunting detailed in the Act.

As well as the Hunting Act 2004 there is also the Animal Welfare Act 2006 which embodies the so-called Five Freedoms of animal welfare which state that every animal deserves the right to humane treatment. The Five Freedoms are recognised across the globe and include a right to the freedom from "fear or distress".

The sentience of animals has been the subject of much research and it has long been recognised that all animals are capable of a range of emotions. The Animal Welfare (Sentience) Act 2022 defines sentience in law.

It cannot therefore be conceived that any blood sport is acceptable, and it is important that the culture and tradition that surrounds and supports this barbaric activity is discouraged.

It is often argued that blood sports are part of the management of the countryside. That is rarely the reality, but where such management is required it needs to be carried out by trained specialists who have proper regard to an animal's welfare and rights under the legislation.

This Council therefore resolves that notwithstanding the moral arguments about blood sport, having regard to the animal welfare and public nuisance considerations, it is for the benefit or improvement of the Council's area that the Council:

1. *does not support the killing of animals for sport or leisure in any circumstances.*
2. *does not facilitate or promote the killing of animals for sport or leisure by allowing its land to be used for such sports or used by organisations supporting such sports;*
3. *requires written permission to be sought for the use and management of any animal traps on its land and reserves the right to refuse permission where the Council considers they could cause unnecessary and avoidable suffering.*
4. *encourages other Local Authorities owning land in the Council's area, including Devon County Council, to adopt a similar resolution."*

In introducing his motion, Cllr McKay **PROPOSED** an alternative form of wording that read as follows:

That, notwithstanding the moral arguments about blood sport, having regard to the animal welfare and public nuisance considerations, it is for the benefit or improvement of the Council's area that the Council:

1. *does not support the killing of or cruelty to animals for sport or leisure in any circumstances.*
2. *will not facilitate or promote the killing of animals for sport or leisure by allowing its land to be used for such sports or **associated activities**;*
3. *requires written permission to be sought for the use and management of any animal traps on its land and reserves the right to refuse permission where the Council considers they could cause unnecessary and avoidable cruelty or suffering.*
4. *encourages other Local Authorities owning land in the Council's area, including Devon County Council, to adopt a similar resolution.*
5. *that the Overview and Scrutiny Committee consider setting up a Task and Finish Group to develop a protocol/policy to underpin parts 1 to 4 of the Motion.*

In the ensuing discussion, reference was made to:

- (a) A number of Members expressed their support for the tone of the motion and felt that it outlined a statement of intent for the Council;
- (b) Members welcomed the revisions to part 2 of the motion in relation to deletion of the following wording: 'or used by organisations supporting such sports';

- (c) In the event of the motion being approved, it was recognised that there would be more detailed work to be undertaken and it was hoped that the Overview and Scrutiny Committee would support the wish to set up a Task and Finish Group to develop a protocol/policy. Members also felt that the Terms of Reference that would underpin such a Task and Finish Group Review would require careful drafting.

It was then:

RESOLVED

That, notwithstanding the moral arguments about blood sport, having regard to the animal welfare and public nuisance considerations, it is for the benefit or improvement of the Council's area that the Council:

1. does not support the killing of or cruelty to animals for sport or leisure in any circumstances.
2. will not facilitate or promote the killing of animals for sport or leisure by allowing its land to be used for such sports or associated activities;
3. requires written permission to be sought for the use and management of any animal traps on its land and reserves the right to refuse permission where the Council considers they could cause unnecessary and avoidable cruelty or suffering.
4. encourages other Local Authorities owning land in the Council's area, including Devon County Council, to adopt a similar resolution.
5. that the Overview and Scrutiny Committee consider setting up a Task and Finish Group to develop a protocol/policy to underpin parts 1 to 4 of the Motion.

65/23

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.

66/23

FUSION LIFESTYLE - LEISURE CONTRACT UPDATE

Members considered an exempt report seeking approval for a variation to the Council's existing contract with Fusion Leisure.

There being no debate, it was then

RESOLVED

1. That the contract variation and changes to the payments profile for the five years 2023-24 to 2027-28, as set out in Section 4 of the presented agenda report, be approved; and
2. That it be noted that authority has been delegated to the Director of Place and Enterprise, in consultation with the Lead Executive Member for Community Services and the Section 151 Officer to finalise the terms of the profit share agreement for the five years from 2023-24 to 2027-28.

67/23

CHAIRMAN'S CONCLUDING COMMENTS

As this was anticipated to be the last meeting of Full Council for the 2023/24 Municipal Year, the Chairman thanked Members and Officers for their support during his year in office.

(Meeting commenced at 2.00pm and concluded at 4.35pm)

Chairman

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 13 MARCH 2024

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr A Nix
*	Cllr G Allen	*	Cllr D O’Callaghan
∅	Cllr L Bonham	*	Cllr G Pannell
*	Cllr J Carson	*	Cllr S Rake
*	Cllr J Hodgson	∅	Cllr B Taylor
*	Cllr M Long (Chairman)	*	Cllr T Edie (substituting for Cllr Bonham)
*	Cllr M Steele (substituting for Cllr Taylor)		

Other Members also in attendance: Cllrs Dennis and Thomas

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management, Senior Planning Officers, Principal Housing Officer; IT Specialists and Senior Democratic Services Officer

DM.56/23 MINUTES
The minutes of the meeting of the Committee held on 14 February 2024 were confirmed as a correct record by the Committee.

DM.57/23 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and none were made.

DM.58/23 PUBLIC PARTICIPATION
The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.59/23 PLANNING APPLICATIONS
The Committee considered the details of the planning applications prepared by the relevant Case Officers as presented in the agenda papers, and considered the comments of Town and Parish Councils, together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

- 6a) 3650/23/FUL Land At Sx 782 623, Symonds Drive, Dartington Parish: Dartington Parish Council**

Development: Application for the erection of a single residential dwelling (Affordable Discount Market)

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Discount to remain at 80% of open market rate.
- Additional information submitted to confirm trees and biodiversity enhancements.

The Officer reported that this was policy compliant and would not ask for a viability study because the site was 30% compliant. The open market value for this property was £450,000.

During the debate, one Member felt there was need to challenge large developers and £450K was not affordable and not meeting local housing needs. Also felt it was wrong to approve this and would see further applications coming forward on spare pieces of land. This was an ancient hamlet being flooded, over developed and not affordable. Another Member felt garden sizes being reduced were acceptable within the JLP and this was infill housing.

Recommendation: Conditional approval subject to completion of S106.

Committee decision: Conditional approval subject to completion of S106.

Conditions:

- Standard time limit
- Accord with plans
- No additional openings
- Parking to be provided prior to occupation
- Incidental use of garage
- Adherence to submitted lighting strategy
- Installation of EV charging point prior to occupation

**6b) 3048/21/FUL Montgo, Maudlin Road, Totnes, TQ9 5TG
Town: Totnes**

Development: Provision of single dwelling house (resubmission of 1668/20/FUL)

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Principle of development.
- Design/scale/landscape.

- Neighbour amenity.
- Highways and parking.
- Drainage.
- Land stability.
- Earlier refusal in 2020.

In response to questions raised, it was reported that:

- The Drainage Officer felt that the permeable paving was acceptable.
- They would be requesting oversight for a practical solution for land stability.
- The Totnes Town Council had been consulted on 4 occasions.

Having heard from speakers on behalf of the objector and the supporter, Members debated the application. During the debate, one Member raised concerns on the impact on neighbouring properties and felt that it was important to respect local distinctiveness and maintaining local identity. This site has the potential to be something wonderful and also felt that this was too big for the site, but they had dealt with the drainage and parking issues. Another Member felt this was not overbearing and the site was not being used and would now provide housing. It was also raised that the applicant had addressed the issues and therefore supported the officer's decision.

Recommendation: Conditional Approval

Committee decision: Conditional Approval to include a pre-commencement condition - a report on land stability to be approved by SHDC.

Conditions:

1. Time limit
2. Approved plans
3. Land stabilisation details
4. Site levels
5. Construction management plan
6. Construction environmental management plan
7. Access, parking and drainage
8. External materials
9. Boundary treatments
10. Landscaping scheme
11. EV charging point
12. Bin storage
13. Surface and foul water drainage
14. DEV32
15. Unidentified contamination
16. PD Removal

6c) 3928/23/HHO Eldoret, Galmpton Cross, Galmpton, TQ7 3EH

Parish: South Huish

Development: Householder application for demolition of outbuildings & single storey extension to East elevation. Creation of enclosed balcony to top of existing garage.

Case Officer Update: The Case Officer summarised the key issues, namely:

- Highly visible from the public realm due to countryside location, topography of landscape and lack of surrounding tree cover.
- Extension was overbearing at 74m² in footprint and 6.2m in height (300mm lower to ridge than previous two-storey proposal).
- Ridge higher the eaves of the two-storey host dwelling despite being single storey.
- Perception of a two-storey addition and rivals the primary of the parent dwelling.
- Inharmonious design which does not sit well with parent dwelling in terms of size, scale and fenestration.
- Excessive amount of glazing in this protected 'dark skies' landscape (approx. 50m² increase) risks the property becoming a 'beacon'.

In response to questions raised, it was reported that there was no formal way to measure light pollution however there was a need to take a pragmatic view because of the location and the impact on dark skies. The north elevation would be less impactful but would still create a glow.

Having heard from speakers on behalf of the supporter, statement from the Parish Council and Ward Member, Members debated the application. During the debate, one Member supported the officer's recommendation. Other Members felt that this breached a number of policies, over dominant and subservient to the main building and could have an extension that blends better with the original building. Another Member felt although visible it was also quite well hidden by the wooden area and hedge. Concerns were raised on the glazing and closeness to the undeveloped coast.

Recommendation: Refusal

Committee decision: Refusal

DM.60/23

PLANNING APPEALS UPDATE

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

DM.61/23

UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 10.00 am and adjourned at 11.35am. Meeting concluded at 12.48 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 13 March 2024

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
3650/23/FUL	Land At Sx 782 623, Symonds Drive, Dartington	Conditional approval subject to completion of S106.	Cllrs Abbott, Carson, Long, Nix, Rake and Steele (6)	Cllr Hodgson (1)	Cllrs Allen, Edie, O'Callaghan, and Pannell (4)	Cllrs Bonham and Taylor (2)
3048/21/FUL	Montgo, Maudlin Road, Totnes, TQ9 5TG	Conditional Approval	Cllrs Abbott, Allen, Carson, Edie, Long, Nix, Pannel, Rake and Steele (9)		Cllrs Hodgson and O'Callaghan (2)	Cllrs Bonham and Taylor (2)
3928/23/HHO	Eldoret, Galmpton Cross, Galmpton, TQ7 3ET	Refused	Cllrs Abbott, Allen, Carson, Edie, Hodgson, Long, Nix, O'Callaghan, Pannel and Steele (10)		Cllr Rake (1)	Cllrs Bonham and Taylor (2)

**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Council Chamber, Follaton House, Totnes, on
THURSDAY, 14 MARCH 2024**

Panel Members in attendance:			
* Denotes attendance Ø Denotes apology for absence			
Ø	Cllr B Cooper	*	Cllr S Jackson
*	Cllr S Dennis	Ø	Cllr L Lawford
*	Cllr A Dewynter	Ø	Cllr P Munoz
*	Cllr N Dommett	*	Cllr S Penfold (Vice-Chairman)
*	Cllr T Edie	*	Cllr A Presswell
*	Cllr J Hawkins (Chairman)	*	Cllr M Steele
*	Cllr S Rake (substituting for Cllr Munoz)	*	Cllr C Oram (substituting for Cllr Lawford)

Other Members also in attendance either in person or via Teams:
Cllrs Birch, McKay, Hopwood and Abbott. Cllrs Cooper, Lawford and O'Callaghan (on MS Teams)

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Director of Customer Service and Delivery, Assistant Director of Strategy and Organisational Development, Principal Climate Change Officer (On MS Teams) and Senior Democratic Services Officer

O&S.31/23 MINUTES
The minutes of the meeting of the Overview and Scrutiny Committee held on 8 February 2024 were confirmed as a correct record.

O&S.32/23 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.33/23 PUBLIC FORUM
In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.34/23 EXECUTIVE FORWARD PLAN

The Committee noted the Executive Forward Plan.

O&S.35/23 DEVON BUILDING CONTROL PARTNERSHIP

The Chair welcomed Nigel Hunt (on MS Teams) from Devon Building Control Partnership. It was highlighted that:

- Extensive new powers relating to enforcement, including stop notices and substantial fines. Increasing the timescales for enforcement action either by or on Building Control from 12 months to 15 years.
- They face many challenges such as recruitment issues and all building control professions now have to register with the Building Safety Regulator (BSR).
- Any existing surveyors who don't gain such a validation and not licensed/registered at the appropriate level by 1 April 2024, would, in effect, be terminating their contract therefore not be able to practice.
- In 2023 have seen a downturn in application numbers and therefore income. This was due to financial uncertainty generally and rising costs within the construction industry.
- The partnership would be meeting at the end of the month to discuss the concerns raised and would provide a progress report.
- The Members challenge the partnership, and they were in a better position than other local authorities.

It was then:

RESOLVED

That the Overview and Scrutiny Committee noted the update and for Devon Building Control Partnership to attend a future meeting for a progress update.

O&S.36/23 SUSTAINABLE SOUTH HAMS

The Chair welcomed Jane Nichols and Mike Hodges from Sustainable South Hams. It was highlighted that:

- They were not a political organisation.
- They have a business plan in place for the next 5 years.
- They were a young organisation and running for the last 18 months.
- They were a volunteer organisation.

In response to questions raised, it was reported:

- That working with energy providers was a slow process, however working with local people with local knowledge would provide better outcomes.
- The Energy Bill and impact on the community was very complicated, they were working with Rural England on initiatives such as solar panels on industrial units.
- They compiled a document asking for feedback from member groups to ensure that Sustainable South Hams were value for money and ensuring that the grant received from South Hams District Council was well utilised.
- They have a full breakdown on where/how money was spent and their accounts available to view and where in the public domain.
- They want to harness people within the community to raise their awareness and encourage local parishes to engage.

It was then:

RESOLVED

That the Overview and Scrutiny Committee noted the update.

O&S.37/23 QUARTER 3 – KPIS

The Chair welcomed the Lead Member for Customer Service; Improvement; IT; and Digital Services who highlighted that the report sets out key service performance up to 31 January 2024 (Appendix A – Key Performance Indicators) and sets out the revised suite of KPI's for reporting to the committee from 1 April 2024. It was also highlighted that:

- The new waste and recycling collections have now been implemented and it is expected that the service performance would be back to normal from April.
- They had seen an increase in FOIs from national organisations and students, however FOIs from residents were prioritised.
- In respect of on-line take-up, the target was 80% and was currently at 72%, largely due to waste enquiries coming in on the phones however these were starting to decrease. Members were invited to visit the call centre team to understand how they operate.
- A quarterly report on the Council Plan to the Executive and Overview and Scrutiny for a deep dive on a particular theme.

It was then:

RESOLVED

That the Overview and Scrutiny:

1. Noted the Key Performance Indicators for April 2023 – January 2024.
2. Agreed the revised suite of Key Performance Indicators as set out in Appendix A which will be implemented from 1 April 2024.

O&S.38/23 TASK AND FINISH GROUP UPDATES

It was reported that the following task and finish groups were in the process of the being set up:

- EA and SW Water Research Task and Finish Group
- Fusion Task and Finish Group
- Local Lettings Policy

O&S.39/23 ANNUAL WORK PROGRAMME 2023/24

The Chair informed the Committee that the next meeting would take place on 27 June 2024. The Annual Work Programme would be populated and circulated to Members.

(Meeting started at 2.00 pm and concluded at 4.27 pm)

Chairman

**MINUTES OF A MEETING OF THE AUDIT AND GOVERNANCE COMMITTEE
 HELD IN THE COUNCIL CHAMBER, FOLLATON HOUSE, PLYMOUTH ROAD,
 TOTNES ON THURSDAY, 21 MARCH 2024**

Members in attendance			
* Denotes attendance			
∅ Denotes apology for absence			
*	Cllr L Bonham (Chairman)	*	Cllr C Oram
*	Cllr S Dennis	*	Cllr A Presswell
*	Cllr D Hancock	*	Cllr S Rake
*	Cllr A Nix (Vice-Chairman)	*	Cllr G Yardy

Member(s) also in attendance:
Cllrs Birch, Brazil, Hopwood and Lawford

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Section 151 Officer; Deputy Section 151 Officer; Head of Democratic Services; and Principal Accountant (via Teams)

AG.38/23 MINUTES

A Member highlighted that Minute AG.35/23 ('Totnes Market – Verbal Update from Deputy Chief Executive') of the draft Minutes of the meeting held on 14 December 2023 appeared to contain contradictory comments. As such, it was agreed that approval of the Minutes should be deferred until the next Committee meeting (to be held on 28 March 2024) to allow for the necessary amendments to be made.

AG.39/23 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.

AG.40/23 2024/25 CAPITAL STRATEGY, 2024/25 TREASURY MANAGEMENT STRATEGY AND 2024/25 INVESTMENT STRATEGY

Consideration was given to a report that sought to recommend approval of the proposed Capital Strategy, Investment Strategy and Treasury Management for 2024/25, together with their associated prudential indicators.

In discussion, particular reference was made to:

- (a) any slippages and/or revisions to the Capital Programme. The Committee noted that the contents of the Council's Capital Programme were regularly reviewed formally by the Executive;
- (b) the current Authorised Borrowing limit of £40 million proposed for 2024/25. The Section 151 Officer explained that, as a result of some technical work carried out previously on the overall borrowing capacity, this would be at a higher limit of £75 million. On the advice of the Council's treasury management advisors, a lower Authorised Borrowing limit had been set, as there should not be a significant gap between current borrowing levels (predicted to be £16 million by 2025/26) and the Authorised Borrowing limit. In the event of Members wishing to increase the authorised limit, it could be changed at any point but would require the ultimate approval of Full Council. As this present time, the Committee was content with the limit being set at £40 million and felt that the Capital Strategy was a contributing factor in the Council being in a sound financial position;
- (c) external grant funding opportunities. Members acknowledged that a high proportion of capital expenditure was financed through external grant funding. In expanding upon the point, a Member was of the view that there could be further scope for the Council to obtain greater amounts of external grant funding that was aligned to town centre regeneration if future Government funding streams were announced and, therefore, undertaking preparatory work for that now was beneficial. To that end, if any Member became aware of the ability for the Council to apply to obtain external grant funding, they were encouraged to let officers know at their earliest convenience. It was also noted that the Council used Grantfinder to identify relevant funding streams;
- (d) the investment property valuations. Given that the latest valuations were a paper based exercise and the Council was not proposing to sell any of its investment properties (as these were deemed to be long term strategic assets), the Section 151 Officer confirmed that she was not unduly concerned by their reduction in valuation. The Section 151 Officer also explained that the reduction in value was predominantly for a piece of land which the Council owned at Iybridge (that had no borrowing associated with it) and which was generating an income stream for the Council;
- (e) climate bonds. The Section 151 Officer explained that climate bonds were a method of financing capital projects associated with decarbonisation. When the Council was in a position of having costed decarbonisation projects following initial feasibility studies, this avenue could be explored as one of the means of financing capital projects for decarbonisation;

- (f) the fundamentals of the Investment Strategy. The Committee recorded its support for the requirements of the Council's investments being (in priority order): 1st Security; 2nd Liquidity; and 3rd Yield;
- (g) the rate of treasury management investment return obtained by the Council, which was 5.47%. Members highlighted the rates of return in comparison to other local authorities (the Council's return was in the top quartile) and officers committed to circulating a report from Link Services (the Council's Treasury Management Advisors) that illustrated this point following this meeting.

It was then:

RESOLVED

1. That Council be **RECOMMENDED** to approve the following 2024/25 Strategies:
 - (a) Capital Strategy (as attached at Appendix A of the presented report);
 - (b) Treasury Management Strategy (as attached at Appendix B of the presented report); and
 - (c) Investment Strategy (as attached at Appendix C of the presented report); and
2. That delegated authority be granted to the Section 151 Officer, in consultation with the Leader of the Council, to make any minor amendments to these Strategies if required throughout the 2024/25 Financial Year.

(Meeting commenced at 11.00 am and concluded at 12.10 pm)

Chairman

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**MINUTES OF A MEETING OF THE AUDIT AND GOVERNANCE COMMITTEE
 HELD IN THE COUNCIL CHAMBER, FOLLATON HOUSE, PLYMOUTH ROAD,
 TOTNES ON THURSDAY, 28 MARCH 2024**

Members in attendance			
* Denotes attendance			
Ø Denotes apology for absence			
*	Cllr L Bonham (Chairman)	*	Cllr C Oram
*	Cllr S Dennis	*	Cllr A Presswell
*	Cllr D Hancock	*	Cllr S Rake
*	Cllr A Nix (Vice-Chairman)	*	Cllr G Yardy

Member(s) also in attendance:
Cllr Brazil

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Section 151 Officer; Director for Strategy and Governance; Head of Finance; Principal Accountant; Senior Democratic Services Officer.

AG.41/23 URGENT BUSINESS

The minutes of the Audit and Governance Committee meeting held on 14 December 2023 were confirmed as a true and correct record, subject to the following change regarding minute AG.35/23: AG.14/23 – Kingsbridge and Dartmouth to be included as part of the audit report. As this was only applicable to Totnes, Kingsbridge and Dartmouth would not be included as part of the audit report. To be amended to - *once assurances were in place at Totnes Market this would then be shared with the other markets.*

AG.42/23 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.

AG.43/23 GRANT THORNTON – AUDIT OPINION ON THE 2022/23 STATEMENT OF ACCOUNTS

The External Auditor took Members through the report. He confirmed that he was intending to give an unqualified audit opinion following the meeting. The External Auditor advised the Committee that there were two main changes to the financial statements both of which related to information provided to the Council by external advisors. These were:

- A valuation error on one of the Council’s leisure centres undervaluing the asset by £0.3m
- An updated pension position from the Actuary following guidance issued by CIPFA regarding the application of IFRIC14. This moved the overall pension position from a small asset of £2.4m

to a small pension liability of £2.2m.

The External Auditor confirmed that these changes do not impact on the Council's outturn for 2022/23 or usable reserves.

The materiality for 2023/24 was just over £1.1m, with the trivial level being £57k. Anything under the trivial level is not required to be reported formally, however any findings would be discussed with the S151 Officer.

The External Auditor spoke on the recommendations in the report and cyber security training was highlighted as a medium risk as there was some training outstanding. Retention of Councillor information was also highlighted. Every Councillor must respond annually to request for information required. A recommendation was made around creating a change in circumstances report to enable the auditors to test the payroll system for changes in working patterns and hours. It was also noted that journal system controls were in place although with the number of journals posted, only journals over £25,000 are reviewed, hence it being flagged as a risk. However, the controls are considered proportionate to the risks.

In discussion, particular reference was made to:

- The reason and timing of the adjustment to the value of the pension position.
- The IT risk register and in particular the upgrade to Civica Financials. The Head of Finance confirmed that this was a top priority and the system would be upgraded once the accounts for 2023/24 were closed.

It was then:

RESOLVED

The Audit and Governance Committee noted the contents of the report *and actions recommended by the External Auditor be added to the Audit Tracker.*

AG.44/23

AUDITED ANNUAL STATEMENT OF ACCOUNTS, ANNUAL GOVERNANCE STATEMENT AND AUDITED SUMMARY ACCOUNTS 2022/23

Consideration was given to the Audited Annual Statement of Accounts, Annual Governance Statement and Audited Summary Accounts 2022/23.

In discussion, particular reference was made to the summary of the accounts. This was currently available electronically on the Council's website, however it was requested that hard copies were provided for Members to be able to circulate.

It was then:

RESOLVED

The Audit and Governance Committee approved:

1. The wording of the Letter of Representation (Appendix A)
2. The audited Statement of Accounts for the financial year ended 31 March 2023 (Appendix B).
3. The Annual Governance Statement post audit (Appendix C)
4. The *audited* Summary of Accounts for the financial year ended 31 March 2023 (Appendix D).

AG.45/23

BISHOP FLEMING – AUDIT PLAN FOR THE 2023/24 STATEMENT OF ACCOUNTS

Consideration was given to Bishop Fleming's Audit Plan for the 2023/24 Statement of Accounts. This was the initial audit plan for the year and their approach to the assessment of risks and materiality were very much the same as Grant Thornton's. The External Auditor confirmed that they had received good engagement with management to help inform the main risks.

In discussion, particular reference was made to:

- Bishop Fleming want to bring the timeline back to achieve the end of September deadline but appreciate that this would be a challenge for management given their current commitments especially being a shared service. The plan was to conduct the 2023/24 audit over the summer with a view to signing off the accounts in the Autumn. It was hoped that for 2024/25 the audit could be completed in line with the deadline of 30 September 2025. Bishop Fleming were very confident that the timeline would be achieved. By July they would have a better understanding and were happy to comeback then to provide an update to Members.
- The S151 Officer confirmed that the plan was to publish the draft accounts at the July Committee meeting but the timeline is subject to the valuations for the fixed assets being received on time and the S151 Officer described the current difficulties being experienced with the current external supplier. Value for Money work has already started for 2023/24.
- When the external auditor was asked about audits nationally for the private sector and the public sector, the External Auditor explained that some organisations were facing financial difficulties and how this can be prevented. The External Auditor felt that auditors needed to step back and look at the bigger picture rather than focussing on the scale and complexity of the accounting standards requiring audits to get into the minutiae detail. Bishop Fleming undertake the time to understand the bigger picture and their blend of staff would add value to the audit.
- The External Auditor confirmed that they ensure that they focus on longer term forecasts and the strategy for reserves to support the going concern assessment.
- They have a commitment to ensure sustainability when auditing accounts.

It was then:

RESOLVED

The Audit and Governance Committee noted the contents of the report.

AG.46/23 **PROPOSED INTERNAL AUDIT PLAN FOR 2024/25**

Consideration was given to the report which provides Members with the opportunity to review and comment upon the proposed internal audit plan for 2024/25. It was reported that:

- This was Members' opportunity to ensure the right amount of time was spent looking at different matters.
- The planning process commenced in December 23 with regular discussions with the SLT.
- Planning to spend time within the different directorates and ensuring good coverage across the authorities.

In discussion, particular reference was made to:

- Car parking and why the timeline stated 'TBC' for 23/24? It was reported that car parking was being finalised and the audit team want to bring back a completed report to the committee. This was not set in stone and would be relooking at this.
- Audit management involved time to manage the plan and review the work of the two auditors, ensuring the knowledge were it needs to be and to keep up to date with the wider issues with other district councils that could be applicable to SHDC.
- They had just undertaken work relating to the waste when the service was taken back in house. This could be looked at again if required.
- Salcombe Harbour Board and the duplication in the auditing of the harbour board, it was reported that they try to avoid areas that were more specialised but ensure process and policies were in place. This could be looked at to reduce duplication.
- Currently the auditing of outside bodies was not in the plan. The management of partnerships has a scope to include outside bodies and it was suggested that this was brought forward.
- Ensuring policies were being followed on the use of social media.

It was then:

RESOLVED

The Audit and Governance Committee approved the proposed Internal Audit Plan for 2024-25 at Appendix A.

AG.47/23 **UPDATE ON PROGRESS ON 2023/24 INTERNAL AUDIT PLAN**

Consideration was given to the report which informs Members of the principal activities and findings of the Council's Internal Audit team. It was highlighted that there was a positive update and limited assurance

on the Totnes Market and ensuring traders and officers' integrity were protected from allegations.

In discussion, particular reference was made to:

- The work undertaken by DAP with the Traders on what would work for them in the future and once agreed at Totnes would share the learning with the other markets.
- Annual car parking fines were around £190k.
- The debt of £3k for Dartmouth Ferry related to businesses that have an account.
- Cyber security and recognised the ever-increasing risk. This was a high risk and the Council undertook annual testing and desktop exercises on a cyber-attack and how we would recover. We have the systems in place and this would remain a high risk and we ensure we manage the risk.
- A report on revenues and benefits would go to the Executive in the summer.
- There would be some limited exemptions to the second homes premium and the Government will issue future legislation on these exemptions.
- The collection of peppercorn rents was not economically viable and further detail will be provided to the Committee regarding the Council no longer issuing invoices for these small amounts and the associated legal position.

It was then:

RESOLVED

The Audit and Governance Committee noted and approved the progress made against the 2023/24 internal audit plan, and key issues arising.

AG.48/23 INTERNAL AUDIT TRACKER

Consideration was given to the report which sets out to update the Committee on progress against Internal Audit recommendations since the previous update in September 2023. This report was encouraging and addressed the issues as well as highlighting the high priority risks.

In discussion, particular reference was made to:

- The Internal Auditor being part of the decision process and would welcome the Committee to review the tracker to provide some advice and to add another layer of reassurance.
- Agricultural planning advice and the limited market for this advice. This has been a high priority item for 2 years, we receive a good service, and it has been suggested that we need to test the market.
- Asset management in any organisation was crucial.

It was then:

RESOLVED

The Audit and Governance Committee noted the progress update against implementation of Internal Audit Recommendations as set out in this report.

AG.49/23 SHARED SERVICES METHODOLOGY 2023/24

Consideration was given to the report which outlines the methodology for the apportionment of costs (predominately staffing costs) between South Hams District Council and West Devon Borough Council. The report ensures the openness and transparency on how shared services were apportioned.

In discussion, particular reference was made to:

- The methodology on the split between the two councils and identifying the cost drivers on where a team was spending their time.
- Why SHDC had more employees than WDBC and this was because SHDC have a direct labour force for waste and in WDBC the waste service was outsourced.
- The appropriate cost drivers for apportioning the salary costs of the housing team. This was a fluid document with a tolerance level of 3% and it was felt that this was a reasonable representation for the year.

It was then:

RESOLVED

That the Audit and Governance Committee notes the methodology of the shared services apportionment of costs between South Hams District Council and West Devon Borough Council for 2023/24, as attached in Appendix A.

AG.50/23 TASK AND FINISH GROUP UPDATES

A response on funding options had now been received from Yealm Community Energy for the group to consider. A meeting to be convened to discuss the options.

A second St Ann's Chapel meeting would be taking place to draft the report.

The JLP would be a joint task and finish with Overview and Scrutiny in the autumn.

AG.51/23 BUDGET BOOK 2024/25

Consideration was given to the report which sets out the Council's Revenue Budget for the year into the four Directorates of Customer Service and Delivery, Place and Enterprise, Strategy & Governance and Strategic Finance. This report was brought to the Committee in March every year and reflected the budget changes approved in the Medium

Term Financial Strategy and the Budget for 2024/25.

It was then:

RESOLVED

That the Audit and Governance Committee noted the content of the Budget Book for 2024/25.

AG.52/23 **COMMITTEE WORKPLAN**

Members were presented with the latest version of the Committee Workplan and noted its contents.

In discussion particular reference was made to:

- The meeting scheduled for 17 October 2024; this meeting could be brought forward but would be dependent on the external audit.

The Chair on behalf of the Committee gave thanks to Jackson Murray and welcomed Bishop Fleming.

(Meeting commenced at 2.30 pm and concluded at 5.26 pm)

Chairman

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MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 10 APRIL 2024

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr A Nix
*	Cllr G Allen	*	Cllr D O’Callaghan
*	Cllr L Bonham	∅	Cllr G Pannell
*	Cllr J Carson	*	Cllr S Rake
*	Cllr J Hodgson	*	Cllr B Taylor
*	Cllr M Long (Chairman)		

Other Members also in attendance:

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management, Senior Planning Officers, Principal Housing Officer; DCC Highways Officer; Viability Officer; IT Specialists and Senior Democratic Services Officer.

DM.62/23 MINUTES
The minutes of the meeting of the Committee held on 13 March 2024 were confirmed as a correct record by the Committee.

DM.63/23 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and none were made.

Cllrs J Hodgson and G Allen both declared an Other Registerable Interest in application 4021/21/VAR (Minutes DM.65/23 (b) below refer), they are a personal friend of Neil MacTaggart speaking as an objector.

Cllr M Long declared an Other Registerable Interest in application 4021/21/VAR (Minutes DM.65/23 (a) below refer), knows the agent and Chairman of South Hams Tree Network. The Member remained in the meeting and took part in the debate and vote thereon.

DM.64/23 PUBLIC PARTICIPATION
The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.65/23 PLANNING APPLICATIONS
The Committee considered the details of the planning applications prepared by the relevant Case Officers as presented in the agenda papers, and considered the comments of Town and Parish Councils,

together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

6a) 0384/23/OPA Land At Sx 652 517, Penn Park, Modbury Parish: Modbury Parish Council

Development: READVERTISEMENT (viability appraisal submitted with revised affordable housing provision and open market housing mix). Outline Planning Application (with all matters reserved apart from access) for demolition of existing buildings and a residential redevelopment of up to 40 dwellings, including the formation of access and associated works on land at Penn Park, Modbury

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Principle of Development/Sustainability.
- Affordable Housing and Housing Mix.
- Local Infrastructure.
- Noise and disturbance from adjoining buildings/uses.
- Contamination and geotechnical.
- Heritage, Landscape and trees.
- Ecology, Travel Plan, Vehicle Access, Low Carbon Development, and Drainage.

In response to questions raised, the Officer's reported that:

- Drivers path was unregistered land and not in the control of anyone although part of the path was accessible to the landowner.
- The indicative plan shows the spillway and swale. If water levels got too high in the attenuation basin, it would go into the spillway and therefore bypass the property. During the development phase the construction management plan would include addressing any surface water issues.
- This outline application was for up to 40 homes.
- There were no proposals to change the footpath along the road apart from cutting back the vegetation.
- The location of the bus stop on the eastern curve was the only place that could accommodate because of the size of the verge.
- As this was a small development only a few people would use the bus service. A visibility concern was raised on crossing the road but felt this was a minor risk.
- National guidelines set out that the ideal walking distance to a bus stop was 400 metres this bus stop would be 500 metres.
- The bus stop was just with the 30mph zone.
- The criteria to move the 30mph sign was not met and would be a departure from policy to move the sign. Would also make enforcement more difficult for the police.
- Another developer Bloors delivered an open market housing mix

- aligned with the wider mix for the area.
- To be policy compliant the developer would need to provide 30% of units which equate to 12 units. They were offering 4 units (10%).
 - Land value was calculated as a desktop exercise on viability, land values as well as taking in account whether the land was developable.
 - House prices have been volatile however do try to get comparable properties within a 2-year period and use data and from sites such as Right Move and Land Registry.

Members raised a number of safety concerns on the higher number of school children catching the bus and crossing the road.

Having heard from speakers on behalf of the supporter, Parish Council and Ward Member. Members debated the application. During the debate, one Member felt there was a danger with the highways and did not want the responsibility of an accident on their hands. Another Member felt that the 30% affordable housing needs to be addressed also the safety of the route and therefore supported the officer's recommendation.

Recommendation: Refusal

Committee decision: Refusal

**6b) 4021/21/VAR Development site at SX 809597, Steamer Quay Road, Totnes
Town: Totnes**

Development: Application for variation of condition 2 (approved drawings) of planning consent 4165/17/FUL [erection of a 68 bed Care Home (use class C2) with associated car parking, refuse and external landscaping]

Cllr Hodgson (proposer) and Cllr Allen (seconder) requested a deferment to allow Members to undertake a site visit before considering the application. A vote was taken to defer and following the vote this application was deferred to the next meeting with the inclusion of a site visit.

Committee decision: Deferred for a site visit

**6c) 0156/24/HHO 28 Redwalls Meadow Dartmouth TQ6 9PR
Town: Dartmouth**

Development: Householder application for erection of single storey ancillary residential annexe and associated works.

Case Officer Update: The Case Officer summarised the key issues, namely:

- Annex building meets the markers of being an ancillary domestic building.
- No sub-division of the plot of independent dwelling was being sought.
- As such consideration and recommendation has been made on this basis.
- Building proposed does not threaten primacy of host (less than 50% footprint and 2m lower than eaves).
- Harmonious in terms of scale, mass and material finish.
- Plenty of amenity space within the garden remaining.
- No detrimental impact on neighbour amenity.
- Both drainage scheme and use type could be conditioned on any approval.

Having heard from speakers on behalf of the supporter and Parish Council and Ward Member. Members debated the application. During the debate, Members raised concerns on entrance from Mount Boone and access to the application site, garden amenity space and boundary fences on the application site. It was therefore proposed that Members undertake a site visit. Following a vote, it was agreed that the application would be deferred to the next meeting to allow Members to undertake a site visit.

Committee decision: Deferred for a site visit

DM.66/23 **PLANNING APPEAL UPDATES**

Members noted the update on planning appeals as outlined in the presented agenda report.

DM.67/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members noted the update on undetermined major applications as outlined in the presented agenda report.

DM.68/23 **ENFORCEMENT REPORT**

This item deferred to the May meeting.

(Meeting commenced at 10.00 am, break at 12.30 pm and lunch at 1.05 pm. Meeting concluded at 14.43 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 10 April 2024

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0384/23/OPA	Land At Sx 652 517, Penn Park, Modbury	Refused	Cllrs Abbott, Allen, Bonham, Carson, Hodgson, Long, Nix, O'Callaghan and Rake (9)	Cllr Taylor (1)		Cllr Pannell (1)
4021/21/VAR	Development site at SX 809597, Steamer Quay Road, Totnes	Deferred for site visit	Cllrs Allen, Carson, Hodgson, Nix, O'Callaghan and Rake (6)	Cllrs Abbott, Bonham, Long and Taylor (4)		Cllr Pannell (1)
0156/24/HHO	28 Redwalls Meadow, Dartmouth, TQ6 9PR	Deferred for site visit	Cllrs Allen, Hodgson and O'Callaghan (3)	Cllrs Long and Taylor (2)	Cllrs Abbott, Bonham, Carson, Nix and Rake (5)	Cllr Pannell (1)

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 18 APRIL 2024**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr V Abbott	*	Cllr N A Hopwood
*	Cllr J P Birch	*	Cllr J McKay
*	Cllr J Brazil (Chairman)	*	Cllr D M O'Callaghan
*	Cllr J M Hodgson	*	Cllr D Thomas (Vice Chairman)

Non-Executive Members also present either in person or remotely for all or part of the meeting:
Cllrs Allen; Carson (via Teams); Dennis; Hawkins; Penfold (via Teams), and Taylor

Officers in attendance and participating:		
All items		Senior Leadership Team; Deputy Monitoring Officer; Head of Democratic Services; Assistant Director – Strategy (via Teams); Head of Economy & Place; Head of Housing and Principal Climate Change Officer (via Teams)

E.91/23 MINUTES

The minutes of the Executive meeting held on 7 March 2024, and the Special Executive meeting held on 13 March 2024 were both confirmed as a true and correct record.

E.92/23 URGENT BUSINESS

(a) South West Water

The Leader advised that he had exercised his discretion to enable for one item of urgent business to be brought forward to this meeting. The item related to South West Water and, specifically, the ongoing issues surrounding the pollution of the waterways of the South Hams.

In so doing, the Leader informed that he would be bringing forward a Notice of Motion to the Full Council meeting to be held on 25 July 2024 (the earliest possible opportunity) highlighting the health, environmental and tourism implications of South West Water's current working practices. In addition to raising awareness of this intention amongst the wider membership, the Leader also invited Members to provide their ideas and thoughts in preparation for the debate at that Full Council meeting.

E.93/23 **DECLARATIONS OF INTEREST**

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

With regard to agenda item 7 ('Freeport Update' (Minute E.96/23 below refers)), Cllr J Birch advised that, in his capacity as the Council's appointed representative on the Plymouth & South Devon Freeport Board, he had been granted a dispensation from the Monitoring Officer to be able to take part in the debate and vote on all matters related to the Freeport.

Whilst a non-Executive Member, Cllr Hawkins declared a personal interest in agenda item 8 ('South Hams Festival' (Minute E.97/23 below refers)) by virtue of being a member of the Port of Dartmouth Royal Regatta Committee and remained in the meeting and took part in the debate on this item.

E.94/23 **QUESTION TIME**

The Leader informed that six questions had been received in accordance with the Executive Procedure Rules:

a) From Chris Wright

"Can the representative member on the Freeport Board influence the Freeport to release the original bid document? If not, why not, when it is so clearly in the public interest to know its content, especially regarding Dartmoor?"

In response the Lead Executive Member for Economic Development; Commercial Strategy; and Governance advised that:

"The outer boundary rationale from the original bid document would be put in the governance section of the Plymouth and South Devon Freeport website, alongside the Full Business Case and board minutes. This was with the Freeport website team for publishing and would be uploaded onto the website by the end of next week."

b) From Christel Goodwin

"The Leader of South Hams Council has stated that if the Freeport is not working to the benefit of residents the Council will pull out. What are the criteria and timescales for this, and has the Leader consulted on the legal and cost implications of this?"

In response, the Lead Executive Member for Economic Development; Commercial Strategy; and Governance stated that:

“The Freeport was a 25 year project and would be subject to ongoing assessment, governance and monitoring, as was the case for all projects. It would be through this process that success would be judged. The Council had a 5 year review term within the agreement between government and the local authority partners, which would be the mechanism utilised.”

c) From Jim Funnell

“In Private Eye 5th January, it was stated that (unlike EU Freeports) the annual HMRC / Border Force audit will instead be done by the Freeport itself. What reassurance of transparency can residents expect from the Freeport when it still will not release the document relating to Dartmoor outer boundary?”

The Lead Executive Member for Economic Development; Commercial Strategy; and Governance provided the following response:

“The Government remained in charge of and would conduct the Security Audit for Plymouth and South Devon Freeport. It had not been undertaken by the Freeport as suggested in the question. The Freeport would arrange to publish this document on the PASDF website as and when it was available for publication.”

d) From Martin Goldschmidt.

“Please could you quantify in simple terms what South Hams financial commitment to the freeport is and what the financial benefit to south hams taxpayers will be? Also what the government is investing overall in the Plymouth Freeport and how much of this taxpayers investment will go to subsidise private companies like Babcock?”

By way of a reply, the Lead Executive Member for Economic Development; Commercial Strategy; and Governance advised that:

“The aim and ambition of the Freeport from a South Hams perspective was singular and simple. It was to encourage development of the employment land allocated in our Joint Local Plan at Sherford and Langage, by companies that wished to contribute to our economy and create local job opportunities. (The Plymouth and South Devon Freeport aimed to create 3,584 jobs over the project period). The acceleration of infrastructure works (roads, active travel links, power upgrades for the grid, land) were all specific contributors to that specific aim.

The Government had allocated £25 million of funding towards each Freeport. This had to be matched by public or private sector investment. The majority of the £25 million allocated for Plymouth and South Devon Freeport had been allocated on public sector led projects (infrastructure).

As set out in the Executive report on the agenda today, South Hams potential financial investment in the projects it was leading for the Freeport, had reduced from £5.5m to £3.5m.

This would be financed through external borrowing from the Public Works Loan Board and paid for by the business rates income generated from the Freeport over the life of the project. Therefore, the Freeport was projected to be self-financing, in that the business rates generated would pay for the borrowing costs.

There had been no subsidies paid to Babcock.”

e) From Paul Wesley

“In the two years that have passed since the agreement of South Hams District Council to participate and contribute funds towards the South Devon and Plymouth freeport, how much money, including officer time, has been spent on this project to date?”

In response the Lead Executive Member for Economic Development; Commercial Strategy; and Governance confirmed that:

“A significant amount of officer time had been spent on the Freeport, mainly by the Director of Finance and the Director of Place and Enterprise. They had and continued to support the governance, financial monitoring, and Council scrutiny of it, whilst contributing to specific project streams within it. In particular, preparing reports and briefings for the Council’s committee system, including the Audit and Governance Task and Finish Group, and quarterly reporting to the Executive. It cannot be quantified beyond that as Directors did not keep time sheets, and worked across numerous Council priority areas.

The Council had spent money on legal and commercial specialist advice, relating to land acquisitions connected to the Freeport. The amounts spent have been as follows:

- £25,000 for the land valuation at Sherford;
- £8,542 on Subsidy control advice for the land acquisition at Sherford; and
- £1,500 on a Geotechnical Assessment.

The Council had also spent £3,329 on financial modelling for the Freeport, which was the Council’s share of a shared resource for the Freeport partnership.

These amounts were recoverable from the business rates income that would be generated from the Freeport.

£46,800 had been paid for legal support for the proposed compulsory purchase of land at Langage (which was no longer progressing, as the land was to be brought forward by the landowners for development)."

f) From Paul Wesley

"What measures have been put in place to ensure that the public are fully informed about the SDPF and what plans are there to inform the public in future?"

The Lead Executive Member for Economic Development; Commercial Strategy; and Governance provided the following response:

"The Freeport published the minutes of its board meetings which provided an update on the activities of the Freeport Company and the progress of projects. Plymouth City Council, Devon County Council and South Hams District Council all brought regular public reports to their committees, such as the one on the agenda today. The PASDF website also included regular news updates. Regular news reports on the progress of the Freeport projects would be published and circulated to news outlets as well as being included on the Freeport website.

The Freeport was committed to providing transparency and continuously updated the website to ensure easy access to information".

E.95/23 EXECUTIVE FORWARD PLAN

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months and the contents were duly noted.

E.96/23 FREEPORT UPDATE

The Executive considered a report that provided an update on the progress made across a multitude of work strands within the Plymouth and South Devon Freeport (PASDF).

In his introduction, the lead Executive Member made specific reference to:

- this being the first quarterly Freeport Update report since the Council had supported each of the 17 recommendations (of which the production of a quarterly update report was one) generated by the Freeport Task and Finish Group at its meeting held on 14 December 2024 (Minute 38/23 refers);
- the Devon County Council (DCC) Cabinet (at its meeting held on 10 April 2024) had voted to approve the delivery of a spine road and pedestrian/cycle bridge relating to the Freeport. In highlighting the importance of this decision, the lead Member encouraged interested parties to read the report and minutes on the DCC website;
- whilst the published agenda report had committed to providing a verbal update at this meeting in relation to the Sherford land acquisition, the lead Member informed that the only update at this time was that matters were progressing however contracts were yet to be signed; and
- at the appropriate time, it was his intention to propose an additional (part 3) recommendation that would read as follows:

3. That the Executive request that the Audit & Governance Committee continue its monitoring role of the Freeport and be encouraged to set up a Working Group at its next scheduled Committee meeting to monitor the implementation of the 17 recommendations that were generated by the Freeport Task & Finish Group and were ultimately supported by Full Council at its meeting held on 14 December 2023 (Minute 38/23 refers).

During the ensuing debate, the following points were raised:

- (a) Some Members each raised their concerns that the Heart of the South West Local Enterprise Partnership had ended up being inefficient and ineffective and these Members reiterated that they would not want any element of that to be replicated with the Freeport (NB. there was no suggestion at this point that there would be);
- (b) A number of questions were raised and points made that related to the current live planning application for an onsite hydrogen pipeline. It was noted that the application would be determined by the District Council and, whilst a number of discussion points had been made at this meeting, the Monitoring Officer was content that no Members had predetermined themselves at this time from being able to partake in the Development Management process on this planning application;
- (c) A number of Members expressed their wholehearted support for inclusion of the additional recommendation;

- (d) Whilst there were risks associated with the Freeport project, a number of Members made the point that the advantages arising from the extensive investment by Central Government into the Plymouth and South Devon area should not be underestimated. As a result, these Members were of the view that the Council owed it to its residents and local communities to support the project;
- (e) In terms of establishing tangible performance measures to ensure effective monitoring of the project, it was hoped that some would be aligned to the 17 recommendations made by the Task and Finish Group. In addition, it was felt that, for future quarterly reports, it would be helpful to have a Gantt Chart included that set out key project milestones.

It was then:

RESOLVED

1. That the contents of the presented update report be noted;
2. That the Council's borrowing requirement for the Freeport had reduced from £5.5m to £3.5m, be noted; and
3. That the Audit & Governance Committee continue its monitoring role of the Freeport and be encouraged to set up a Working Group at its next scheduled Committee meeting to monitor the implementation of the 17 recommendations that were generated by the Freeport Task & Finish Group and were ultimately supported by Full Council at its meeting held on 14 December 2023 (Minute 38/23 refers).

(Note: at this point (11.25am) the meeting was adjourned for a period of 10 minutes).

E 97/23 SOUTH HAMS FESTIVAL

The Executive was presented with a report that sought Member support for the delivery and funding of a South Hams Arts and Culture festival in 2025.

In discussion, the following points were raised:

- (a) To underline the commitment of the Council, a number of Members welcomed the intention to develop an Arts and Culture Strategy for adoption;
- (b) Whilst in its infancy as a proposal, the majority of Members felt that the proposal was worthy of further exploratory works being undertaken prior to a final decision being taken by the Executive in the Autumn;

- (c) In acknowledging that the proposal was in its early stages, Members made the following suggestions to be given consideration:
- The ability to develop closer linkages with the existing Villages in Action organisation;
 - The need to give emphasis to the provision of events for young people;
 - The ability to achieve revenue via a crowdfunder campaign; and
 - The ability to make better use of the local Town Markets;
- (d) Some Members stated that their support at this time was conditional on the Festival being a truly South Hams wide event. To that end, a Member stated that there must be a tangible benefit to all town and parish councils before they were asked to make a contribution to the event;
- (e) The importance of all local Ward Members being able to champion such an event amongst all of their local town and parish councils was emphasised. In expanding upon the point, the view was expressed that the success of the proposal was wholly dependent upon the enthusiasm and drive of all local Ward Members;
- (f) At the request of the meeting, the Section 151 Officer informed that, if ultimately approved, the Festival would be held during the summer of 2025 with any budgetary implications therefore falling within the 2025/26 Financial Year. For clarity regarding the wish to secure a minimum of 50% of the funding through local partners, a minor amendment to part 2 of the recommendation was **PROPOSED**, **SECONDED** and when put to the vote declared **CARRIED** as follows:
- 2. to underwrite the cost of the festival in its first year up to the value of £32,500, in anticipation of a minimum of 50% of the £65,000 funding being secured through local partners;*
- (g) As a word of caution, a Member summarised some of the risks that she foresaw as follows:
- The budgetary position of the partner organisation and the need to look closely at its make-up;
 - The potential to upset and alienate existing volunteer groups who were already running very successful community events;
 - The timing of a final decision and how that would tie-in with town and parish councils setting their respective precepts and the timing of other external funding applications; and
 - The lack of existing officer capacity to support what would be in excess an additional piece of work that was not included in the Council Plan.

In reply, the lead Member recognised that the proposal was not without risk and stated that the purpose of presenting the matter to this meeting was to ascertain whether there was Member support at this stage to continue to work on the proposal. He also stated that, assuming there was Executive support for the principle of an Arts Festival, then further meetings would take place to go through the detail of the proposal and address the points that Members had raised in this debate.

It was then:

RESOLVED

1. That the development of a South Hams Arts and Culture Strategy and Festival (to be delivered in the summer of 2025) be supported;
2. That, in anticipation of a minimum of 50% of the £65,000 funding being secured through local partners, the cost of the festival be underwritten in its first year up to the value of £32,500; and
3. That the funding be found from within the Year 2 (2025-26) Delivery Plan allocation.

E.98/23

VERBAL PROGRESS UPDATE ON HOUSING PROJECTS

Members were presented with a verbal update by the lead Executive Member for Housing on progress made with various Housing Projects being undertaken within the District.

In discussion, reference was made to:

- the recent news that 830,000 households across the country had been forced into making an 'unwanted move'. The lead Member felt this to be a particularly sad state of affairs;
- whilst officers continued to be proactive, tackling temporary accommodation numbers remained a significant challenge for the Council. Currently 33 households were residing in temporary accommodation (a reduction from 37 households). To illustrate the additional cost implications to the Council, the lead Member advised that these had increased from 1% of the Council's total revenue budget in 2019/20 to 4% at this present time;
- with regard to the South Hams Housing Offer, the lead Member confirmed that a number of sites were progressing well. In stating that this was very encouraging, the Member expressed her thanks to those landowners who had already come forward;
- the intention for an additional Housing Advisory Group meeting to be scheduled into the Member Meeting Calendar;
- the close working relations that had been developed between the Council and the recently established Devon Housing Commission.

E.99/23 CLIMATE CHANGE AND BIODIVERSITY EMERGENCY - VERBAL UPDATE

The lead Executive Member for Climate Change provided an update on recent activity undertaken. In so doing, the lead Member made particular reference to:

- a great deal of work was being undertaken on updating the Council's Carbon Footprint data;
- a proposal was being designed with regard to extending the provision of Solar PV's at Follaton House. Furthermore, works were also ongoing in respect of both the installation of a rapid EV charging point within Follaton House Car Park and the installation of Solar PV's on the Leisure Centre buildings. With regard to the Leisure Centre buildings, a Member commented that this had been recognised as a top priority of this Council administration and it was therefore hoped that these would be installed as soon as was practically possible;
- the Council's Marine Officer developing a project regarding the recycling of boats as opposed to them either sinking or entering landfill;
- a meeting was to be held imminently regarding the production of a template to support and encourage parish councils and local community groups who wished to install Solar PVs on their village halls and community centres;
- the importance of the town markets in respect of the 'keep it local' campaign; and
- World Earth Day taking place on Monday, 22 April. Members hoped that the Council could undertake some communications to promote the importance of this Day.

(Meeting commenced at 10.00 am and concluded at 1.10 pm)

Chairman

(NOTE: THESE DECISIONS, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 29 APRIL 2024 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)