

SOUTH HAMS EXECUTIVE



**Minutes of a meeting of the South Hams Executive held on
Thursday, 25th January, 2024 at 10.00 am at the Council Chamber - Follaton
House**

Present: **Councillors:**

Chairman Cllr Brazil
Vice Chairman Cllr Thomas

Cllr Abbott
Cllr Hopwood
Cllr O'Callaghan

Cllr Birch
Cllr McKay

In attendance:
Councillors:

Cllr Bonham
Cllr Long
Cllr Oram
Cllr Penfold
Cllr Steele

Cllr Dennis
Cllr Nix
Cllr Pannell
Cllr Presswell
Cllr Taylor

Officers:
Senior Leadership Team
Monitoring Officer (via Teams)
Democratic Services Manager
Assistant Director – Strategy
Community Development Manager
Head of Revenues & Benefits
Head of Housing
Head of Communications
Head of Finance
Principal Climate Change Officer (via Teams)

53.

Minutes

E.53/23

The minutes of the Executive meeting held on 30 November were confirmed as a true and correct record.

54. **Declarations of Interest**

E.54/23

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

55. **Public Question Time**

E.55/23

The Leader informed that no questions had been received in accordance with the Executive Procedure Rules.

56. **Executive Forward Plan**

E.56/23

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.

In discussion, the following points were raised:

- (a) In accordance with the Full Council resolution from its meeting held on 14 December 2023 (Minute 38/23 refers), Members noted that a 'Freeport: Progress Update' had been scheduled on to the Executive Forward Plan for the meeting to be held on 18 April 2024;
- (b) Prior to the next version of the Forward Plan being published, it was agreed that a decision would be made as to whether the Leader or Deputy Leader would be assigned lead Member responsibility for Neighbourhood Planning related matters.

57. **The Council Plan 2024-28 and Annual Delivery Plan for Year 1**

E.57/23

The Executive considered a report that set out the progress made in the preparation of the draft Council Plan for the period 2024-28.

During the ensuing debate, reference was made to:

- (a) further minor amendments to the Plan and Annual Delivery Plan. In recognition that the Plans continued to evolve prior to their ultimate presentation to Full Council on 15 February 2024, the meeting agreed that further minor amendments should be made in relation to:
 - the wording contained within Housing Action H1.2. It was agreed that the wording should be updated to read: 'Review existing Capital Programme to ensure construction or purchase of Council owned or Housing Association homes is a key part of capital spending;

- the need to update the documents to reflect the fact that the 'Area of Outstanding Natural Beauty' had been recently re-titled to the 'National Landscape';
 - the need to consider making greater reference to the Cost of Living Crisis throughout the Plans; and
 - consideration to including reference within the Housing Action Plan to the ongoing work being carried out by the Devon Housing Commission;
- (b) notwithstanding the commitment contained within the manifesto of the Council administration, a Member still expressed her personal view that an annual £500,000 expenditure towards the Climate Change and Biodiversity Emergency was, in her opinion, disproportionate. The Member proceeded to express her view that a proportion of these monies would be better spent towards the delivery of affordable housing;
- (c) the current lack of tangible (measurable) outcomes. As the Plans evolved, it was hoped that a greater number of tangible outcomes would be incorporated. Furthermore, it was recognised that performance monitoring reports would be considered regularly by both the Executive and Overview and Scrutiny Committee;
- (d) the formation of a Community Development Team. Members welcomed the decision to establish a Community Development Team and felt that this Team would be instrumental in delivering a number of actions contained within the Plans;
- (e) the work undertaken by officers in reaching this point. Members wished to put on record their thanks to officers in producing such detailed and comprehensive Plans that were reflective of the views of lead Members and the Advisory Groups. In addition, thanks were paid to the work of the Section 151 Officer, her finance team and the previous Council administration for their financial management that had resulted in the Council being in a position to invest monies into these Plans.

It was then:

RESOLVED

1. That the Council Plan 2024-2028 as set out in Appendix A of the presented agenda report and Year 1 (2024/25) Delivery Plan in Appendix B of the report be noted; and

That Council be **RECOMMENDED** to:

2. adopt 'The Council Plan' and delivery plan at its meeting on 15 February 2024, subject to inclusion and consideration of the points raised in minute discussion point (a) (above); and

3. approve the funding for the 2024-25 delivery plan (as set out in section 4.2 of the presented agenda report).

58. **Draft Revenue and Capital Budget Proposals for 2024/25**

E 58/23

The Executive was presented with a report that outlined a series of draft revenue and capital budget proposals for 2024/25.

At the invitation of the Chairman, the Section 151 Officer informed that, since the agenda papers had been published, there had been further announcements made from Central Government in response to the consultation on the Local Government Finance Settlement and clarification over the Rural Services Delivery Grant. The impact of these updates (which were likely to be minimal) would be included in the report to be presented to Full Council on 15 February 2024.

In discussion, reference was made to the second homes premium. In expressing disappointment that the primary legislation had not included the requirement for the additional monies to be spent on the delivery of affordable housing, it was noted that conversations were taking place with Devon County Council colleagues and it was hoped that this objective could still be reached.

It was then:

RESOLVED

That the Executive **RECOMMEND** to Council:

- i) to increase Council Tax for 2024/25 by 2.99% (This would increase a Band D council tax for 24/25 from £185.42 to £190.96 – an increase of £5.54 per year or under 11 pence per week);
- ii) the financial pressures shown in Appendix A of £2,846,000;
- iii) the revenue expenditure (£650,000) and capital expenditure (£350,000) for the Year 1 delivery plan of the Council Plan (2024/25), totalling £1million, as set out in section 3.30 of the report.
- iv) the savings/additional income of £(1,460,000) as shown in Appendix A;
- v) the net contributions to/(from) Earmarked Reserves of £60,427 as shown in Appendix D, including the proposed use of £704,173 of New Homes Bonus funding to fund the 2024/25 Revenue Budget as set out in 3.20 of the report and £400,000 from the Business Rates Retention Earmarked Reserve as set out in 3.13 of the report;
- vi) that the Council should set its total net expenditure for 2024/25 as shown in Appendix B as £13,034,894

- vii) the Capital Bid for £90,000 to renew and upgrade the Council's bank reconciliation software and to fund this from the annual revenue contribution of £181,600 into the Capital Programme, as set out in 8.4.
- viii) that Unearmarked Reserves should continue to have a minimum level of £1.5million (as set out in the Medium Term Financial Strategy in September 2023), but an operating level of a minimum of £2million; and
- ix) that the level of reserves as set out within this report and the assessment of their adequacy, and the robustness of budget estimates are noted. This is a requirement of Part 2 of the Local Government Act 2003.

59. **Housing Crisis Update - Housing & Homeless Strategy Action Plan**

E.59/23

The Executive considered a report that sought approval for the refreshed Housing and Homeless Strategy Action Plan.

In discussion, reference was made to Joint Local Plan Policy Dev 8. A Member highlighted the need to ensure that, wherever possible, this Policy was enforced in relation to the requirement for a minimum of 30% affordable housing to be delivered on housing schemes of 11 or more dwellings. To reinforce the point, an amendment was **PROPOSED** and **SECONDED** to part 2 of the recommendation that read as follows:

2. that the refreshed Action Plan, as set out at Appendix 2 of the presented report, be agreed, *subject to the addition being made to page 143 of the published agenda papers, 'Use strategic planning policy to ensure sustainable housing growth' and in particular JLP Policy Dev 8 (Item 3) relating to the requirement for a minimum of 30% affordable housing in Schemes of 11 or more dwellings.*

In discussion, the proposer of the amendment stated that its intention was to ensure that this requirement was complied with by developers. A Member proceeded to make the point that this issue was equally relevant to Policy Dev 7 and this fact must be borne in mind during the upcoming review of the Joint Local Plan (JLP). As an assurance, the Leader informed that a meeting of the JLP Partnership Board was to be held later in the day and he would raise the importance of this point at this meeting.

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

It was then:

RESOLVED

1. That the progress on the previous Housing Strategy Action Plan be noted; and

2. That the refreshed Action Plan, as set out at Appendix 2 of the presented report, be agreed, subject to the addition being made to page 143 of the published agenda papers, 'Use strategic planning policy to ensure sustainable housing growth' and in particular JLP Policy Dev 8 (Item 3) relating to the requirement for a minimum of 30% affordable housing in Schemes of 11 or more dwellings.

(Note: At this point (11.30am), the meeting was adjourned for a period of 15 minutes)

60. **Climate Change & Biodiversity Emergency - Verbal Update**

E.60/23

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

- the fall-out from the successful Symposium event held on 10 November 2023. The Member informed that he continued to liaise with those stakeholders who had attended the Symposium. For example, on 24 January 2024, he had met with the Chief Executive of a local organisation that had the primary aim of driving down the cost of food production and distribution. It was the intention of the lead Member to formulate an action plan based upon the outcomes of the symposium that would be presented to lead officers and Members in the upcoming months;
- a piece of work commencing on stimulating and re-energising local town centre food markets;
- talks having begun with organisations who were involved in rivers. An exploratory meeting was to be held with key stakeholders (e.g. the Environment Agency; Westcountry Rivers Trust; and the National Landscapes Unit) to gauge how the Council could support these organisations;
- the potential installation of Solar PV panels in Council owned car parks. Whilst works were still ongoing, indications were that the viability of such installations was questionable;
- an additional officer resource was in the process of being recruited; and
- the Climate Change and Biodiversity Locality Fund was being formally launched today (25 January 2024).

Following the update, a number of Members highlighted the amount of work that was ongoing within this portfolio area and wished to thank the lead Member for all his hard work and efforts.

61. **Support for Care Leavers**

E.61/23

Members considered a report which provided an update on the Council's activity in supporting care leavers including a proposal for the Council to become a signatory to the Care Leaver Covenant.

In the ensuing debate, particular reference was made to:

- (a) widespread support was expressed for the proposals. Moreover, the leading role that the Council and Chief Executive continued to take in this subject area was recognised and commended;
- (b) the potential implications of a two to four week paid work placement on a care leavers' benefit entitlements. Officers thanked a Member for raising this potential issue and gave an assurance that the Council would do everything possible to overcome such barriers and, whilst each instance would be looked at on a case by case basis, the purpose of the published agenda report was to raise awareness amongst the membership and to set out a statement of intent.

It was then:

RESOLVED

1. That the measures implemented to support care leavers into employment be noted;
2. That the intention for the Council to sign up to the Care Leaver Covenant be noted; and
3. That the steps taken to support Council employees who are seeking approval to be a foster carer and, following the placement of a child, be noted.

62. Council Tax Discounts and Council Tax Reduction Scheme 2024/25

E.62/23

Members considered a report which provided a summary of the findings of the recent consultation on changes to the Local Council Tax Reduction Scheme and sought a decision on a Scheme for 2024/25.

The report also provided details of the current Council Tax Discounts and reaffirmed the Council's intention to levy a 100% premium on Second Homes as permitted in the Levelling-UP and Regeneration Act 2024

In the ensuing debate, the following points were raised:

- (a) As referenced earlier in the meeting (Minute E.58/23 above refers), the importance of adopting the Second Homes Premium was emphasised;
- (b) In advance of the recommendation being considered at Full Council on 15 February 2024, officers committed to setting out the potential cost implications of the discount for properties that required major repair work to render them habitable for a maximum period of 12 months being increased from the recommended 50% to 100% (recommendation part 3(c) specifically refers).

It was then:

RESOLVED

1. That the contents of the report be noted; and

That the Executive **RECOMMEND** to Council:

2. a local Council Tax Reduction Scheme for 2024/25 that:

- Makes no changes to the bands of the current banded scheme.
- Removes the Minimum Income Floor (MIF) for self-employed claimants.
- Disregards 100% of the 'Limited Capability for Work' element of Universal Credit;

3. the adoption of the following Council Tax discounts effective from 1 April 2024:

- (a) The discount for unoccupied and substantially unfurnished properties is 100% for a maximum period of 1 month;
- (b) The discount for unoccupied and substantially unfurnished properties for 1 month to 1 year is zero;
- (c) The discount for properties which require major repair work to render them habitable is 50% for a maximum period of 12 months;
- (d) The discount for unoccupied furnished properties (second homes) is zero;
- (e) An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and unfurnished for at least one year, but less than five years;
- (f) An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and unfurnished for at least five years, but less than ten years;
- (g) An empty homes premium of additional 300% is levied on properties that have remained unoccupied and substantially unfurnished for at least ten years; and

4. the adoption of a Second Homes Premium of 100% with effect from 1 April 2025.

63. **Discretionary Rate Relief and Corporate Debt Policies**

E.63/23

The Executive considered a report that sought approval for four revised and updated policies in respect of key areas impacting on the Council's financial position.

In discussion, it was noted that the Council's Rate Relief Panel (comprising of Cllrs Birch, Hopwood and Yardy) was tasked with considering matters that related to the Discretionary Rate Relief Policy.

It was then:

RESOLVED

That the following Policies be approved:

1. the Discretionary Rate Relief Policy (as attached at Appendix A of the published agenda report);
2. the Business Rates Relief: 2024/25 Retail, Hospitality and Leisure Scheme Policy (as attached at Appendix B of the published agenda report);
3. the Corporate Debt Policy (as attached at Appendix C of the published agenda report); and
4. the amendment to the Council Tax, Non-Domestic Rates (Business Rates) and Housing Benefit Overpayments Write-Off Policy, to incorporate Sundry Debt (as set out at Appendix D of the published agenda report).

64. **Month 7 Revenue Budget Monitoring Report 2023/24**

E.64/23

Members considered a report that provided a forecast for the year end budget position and that also enabled them to monitor income and expenditure variations against the approved budget for 2023/24.

In discussion, the following points were raised:

- (a) Members welcomed the overall projected surplus of £16,000 for the 2023/24 Financial Year;
- (b) In reply to a question regarding the apparent disparity between falling planning fee income and rising planning advertising costs, it was noted that this was due to an increased number of planning applications but a decreased number of those that were defined as major applications.

It was then:

RESOLVED

1. That the forecast income and expenditure variations for the 2023/24 Financial Year and the overall projected surplus of £16,000 (0.1% of the total Budget £11.738 million) be noted; and
2. That Council be **RECOMMENDED** to update the current virement limits within the Constitution (as shown in Section 10 of the published agenda report).

65. **Capital Programme Monitoring as at 31 October 2023**

E.65/23

The Executive was presented with a report providing details of the Capital Programme financial position as at 31st October 2023,

With no questions or debate ensuing, it was then:

RESOLVED

- 1) That the content of the Capital Programme Monitoring Report be noted;
- 2) That the revised capital allocation for the UK Shared Prosperity Fund (UKSPF) scheme for 2023/24 and 2024/25 (as set out in section 2.3 of the presented agenda report) be noted;
- 3) That the addition of a budget for Westville Flats (as approved at the Executive meeting held on 3 March 2023) be noted;
- 4) That the addition of a budget for LAHF 2 (as approved at the Executive meeting held on 21 September 2023) be noted;
- 5) That the addition of an £80,000 budget for the design and build of a pump track at Woolwell (as approved at the Executive meeting held on 28 June 2023) be noted;
- 6) That the increased budget for Kingsbridge skatepark (as outlined in section 2.7 of the presented agenda report) be noted;
- 7) That the inclusion of two reserve funded schemes below £30,000 for a cash carrying vehicle and grounds maintenance equipment (as detailed in section 2.8 of the presented agenda report) be noted;
- 8) That the addition of a project at Hangar Marsh Nature reserve (as set out in paragraph 2.9 of the presented agenda report) be noted;
- 9) That the addition of the Woodland Creation scheme (as set out at the Executive meeting held on 30 November 2023) be noted; and

- 10) That the virement of £25,000 from the Coastal Assets budget to create a scheme for the Slapton Line Adaptation financed from capital receipts be approved.

66. **Quarter 1 and Quarter 2 Write-Off Report 2023/24**

E.66/23

A report was considered that informed Members of the proposal to write-off a series of debts with a value of more than £5,000 for the period from 1 April 2023 to 30 September 2023.

In discussion, the following points were raised:

- (a) The greater corporate emphasis now being given to debt collection was noted. As a result of this increased emphasis, Members were reassured that the Council was not seeing a spike in the amount of debt being written off;
- (b) Officers agreed that, for future iterations of the Write-Off Report, it would be explained that the District Council's share of the overall write-off amount was 8% of the total (i.e. the District Council's share of a Council Tax bill), as each major precepting authority picked up their own share of the total cost.

It was then:

RESOLVED

1. That it be noted that, in accordance with Financial Regulations, the Section 151 Officer has authorised the write-off of individual debts totalling £100,891.81 as detailed in paragraph 3 of the presented report; and
2. That the write-off of the individual debts totalling £52,754.20 (as shown in Appendix A of the presented agenda report) be approved.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.57/23 (Parts 2 & 3), E.58/23, E.62/23 (Parts 2, 3 & 4) AND E.64 (Part 2), WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 15 FEBRUARY 2024, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 5 FEBRUARY 2024 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)

The Meeting concluded at 12.55 pm

Signed by:

Chairman

