

South Hams Council



Title:	Agenda																														
Date:	Thursday, 15th December, 2016																														
Time:	2.00 pm																														
Venue:	Council Chamber - Follaton House																														
Full Members:	<p style="text-align: center;">Chairman Cllr Smerdon Vice Chairman Cllr Cuthbert</p> <p><i>Members:</i></p> <table><tbody><tr><td>Cllr Baldry</td><td>Cllr Holway</td></tr><tr><td>Cllr Bastone</td><td>Cllr Hopwood</td></tr><tr><td>Cllr Birch</td><td>Cllr May</td></tr><tr><td>Cllr Blackler</td><td>Cllr Pearce</td></tr><tr><td>Cllr Bramble</td><td>Cllr Pennington</td></tr><tr><td>Cllr Brazil</td><td>Cllr Pringle</td></tr><tr><td>Cllr Brown</td><td>Cllr Rowe</td></tr><tr><td>Cllr Cane</td><td>Cllr Saltern</td></tr><tr><td>Cllr Foss</td><td>Cllr Steer</td></tr><tr><td>Cllr Gilbert</td><td>Cllr Tucker</td></tr><tr><td>Cllr Green</td><td>Cllr Vint</td></tr><tr><td>Cllr Hawkins</td><td>Cllr Ward</td></tr><tr><td>Cllr Hicks</td><td>Cllr Wingate</td></tr><tr><td>Cllr Hitchins</td><td>Cllr Wright</td></tr><tr><td>Cllr Hodgson</td><td></td></tr></tbody></table>	Cllr Baldry	Cllr Holway	Cllr Bastone	Cllr Hopwood	Cllr Birch	Cllr May	Cllr Blackler	Cllr Pearce	Cllr Bramble	Cllr Pennington	Cllr Brazil	Cllr Pringle	Cllr Brown	Cllr Rowe	Cllr Cane	Cllr Saltern	Cllr Foss	Cllr Steer	Cllr Gilbert	Cllr Tucker	Cllr Green	Cllr Vint	Cllr Hawkins	Cllr Ward	Cllr Hicks	Cllr Wingate	Cllr Hitchins	Cllr Wright	Cllr Hodgson	
Cllr Baldry	Cllr Holway																														
Cllr Bastone	Cllr Hopwood																														
Cllr Birch	Cllr May																														
Cllr Blackler	Cllr Pearce																														
Cllr Bramble	Cllr Pennington																														
Cllr Brazil	Cllr Pringle																														
Cllr Brown	Cllr Rowe																														
Cllr Cane	Cllr Saltern																														
Cllr Foss	Cllr Steer																														
Cllr Gilbert	Cllr Tucker																														
Cllr Green	Cllr Vint																														
Cllr Hawkins	Cllr Ward																														
Cllr Hicks	Cllr Wingate																														
Cllr Hitchins	Cllr Wright																														
Cllr Hodgson																															
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:	Member.Services@swdevon.gov.uk																														

1. Minutes

1 - 20

to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Council held on 29 September 2016 and the Special Council meeting held on 27 October 2016;

2. Urgent Business

the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency (any such item to be dealt with under item 7 below);

3. Confidential Business

the Chairman to inform the meeting of any confidential item of business;

4. 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;

5. Declarations of Interest

Members are invited to declare any personal; or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;

6. Chairman's Engagements

7. Business Brought Forward by the Chairman

to consider business (if any) brought forward by the Chairman as reported under item 2 above;

8. Questions

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

(a) From Cllr Hodgson to Cllr Hicks, lead Executive Member for the Joint Local Plan

'Can the controversial proposed development site T3 in the centre of Totnes be removed from the Joint Local Plan with the provision that Totnes Neighbourhood Plan group is allowed to propose how appropriate areas or zones of this site should be redeveloped.'

(b) From Cllr Baldry to Cllr Hicks, lead Executive Member for the Joint Local Plan

'You are quoted in the Press as saying "Sherford is about building local homes for local people". Is this an accurate report? If it is in what legal way do you see it possible to enforce that Sherford dwellings are occupied/owned by local people?'

(Please note: the following statement issued by Cllr Hicks, in reply to questions raised at a recent Overview and Scrutiny Panel meeting, stated the following and is to be read in conjunction with questions (c), (d), (e) and (f)):

"Because it has been included in various iterations of the Local Plan for some years, the planning judgement is that removing T3 from the allocated sites will leave it vulnerable to approach by any developer"

(c) From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

'What situation is envisaged whereby the T3 Area becomes 'vulnerable to approach by any developer' bearing in mind the fact that the area is owned by SHDC?'

(d) From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

'Has the District Council's officers held any discussions with developers and/or their agents concerning:

the possible future development of the T3 area or any parts of it? and

the possible future sale of the T3 area or parts of it?

(e) From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

'Has the District Council's officers held any discussions

with commercial property agents and/or residential estate agents concerning:

the possible future sale of the T3 area or any parts of it?
and

the valuation of the T3 area or parts of it?’

(f) From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

‘Are there any internal council reports prepared by officers dealing with the possible future sale of the T3 area or part of it?’

9. Notices of Motions

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

(a) By Cllrs Green and Hodgson

“In response to rising concerns regarding the role of the Local Enterprise Partnership in participating in the bid for public funding to finance the HOSW Devolution bid, this Council calls for LEP Board Members to be bound by the same code of conduct as Publicly Elected Representatives.”

(b) By Cllrs Hodgson and Green

“In the light of the proposed NHS cuts and the likely impact on local care services, the HOSW Devolution Bid should include a request for funding to secure a health service which looks after the needs of all those living in Devon and Somerset.”

(c) By Cllrs Green and Hodgson

“The Council will consider allowing Neighbourhood Plan groups to decide to develop recommendations for specific sites and remove these sites from the JLP on condition that the estimated number of dwellings included in the JLP for that Neighbourhood Plan area is not reduced.”

(d) By Cllrs Vint and Birch

“That this Council:

notes the ruling of the High Court (Case No: CO/2241/2016) in support of a housing policy known as

'H2. Full Time Principal Residence Requirement' as set out in St Ives Area Neighbourhood Development Plan and which provides that: 'New second homes and holiday lets will not be permitted at any time..' and

supports and **encourages** Town and Parish Councils within the South Hams District to adopt similar policies in their own Neighbourhood Development Plans."

(e) By Cllrs Ward and Holway

"The Council develops a plan to become more dementia aware, particularly for customer facing staff and to support the development of dementia awareness in the community.'

(f) By Cllrs Rowe and Holway

"We propose that the area known as T3 should be removed from the Joint Local Plan."

(g) By Cllrs Hodgson and Green

"In the event that SHDC approves the Local Authority Controlled Company to deliver services on behalf of this Council, then a local referendum to ascertain public support would be held. (This could be held as part of the proposed referendum next March on a Combined Authority of Devon and Somerset)."

10. Appointment of Salcombe Harbour Board Co-Opted Member 21 - 24

11. 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) Salcombe Harbour Board - 26 September 2016* | 25 - 34 |
| (b) Overview & Scrutiny Panel - 6 October 2016 | 35 - 46 |
| (c) Executive - 20 October 2016* | 47 - 54 |
| (d) Development Management Committee - 26 October 2016 | 55 - 60 |

(e) Overview & Scrutiny Panel - 3 November 2016	61 - 74
(f) Salcombe Harbour Board - 21 November 2016*	75 - 80
(g) Development Management Committee - 23 November 2016*	81 - 90
(h) Overview & Scrutiny Panel 24 November 2016	91 - 102
(i) Licensing Committee - 24 November 2016*	103 - 108
(j) Executive - 1 December 2016*	109 - 114