

SOUTH HAMS EXECUTIVE



Minutes of a meeting of the **South Hams Executive** held on **Thursday, 10th March, 2016** at **10.00 am** at the **Cary Room - Follaton House**

Present: **Councillors:**

Chairman Tucker
Vice Chairman Ward

Bastone
Hicks

Gilbert
Wright

In attendance:

Councillors:

Blackler
Brazil
Cane
Foss
Hitchins
Holway
Pearce
Saltern
Steer
Wingate

Bramble
Brown
Cuthbert
Green
Hodgson
Hopwood
Rowe
Smerdon
Vint

Officers:

67. **Minutes**

The minutes of the Executive meeting held on 4 February 2016 were confirmed as a true record and signed off by the Chairman.

68. **Declarations of Interest**

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

69. **Public Question Time**

It was noted that the following question had been tabled in line with Executive Procedure Rules:

Question from Cllr Keith Wingate to Cllr Gilbert:

Why is the wall in Eastern Backway, Kingsbridge taking so long to be resolved?

In response, Cllr Gilbert stated:

“The wall was identified as a dangerous structure by the Devon Building Control Partnership (DBCP) in May 2015. SHDC was requested to close off the pathway to pedestrians in August 2015 pending a decision as to how to remove the danger.

Following a meeting with DBCP in early September 2015, it was agreed that they would obtain a method statement from their structural engineer to enable SHDC to undertake works to remove the danger. This was received mid-October.

In order for the work to be undertaken by SHDC, we would have to proceed under the direction of DBCP acting as client. Subsequently, following consideration of the engineers report and a discussion with the DBCP manager, it was agreed that it would be more appropriate for a contractor with relevant experience to be instructed to undertake the work as specified.

DBCP approached South West Highways (SWH), met their representative on site mid-November, received and subsequently agreed the submitted quotation.

Work was scheduled to commence 4 January 2016. Unfortunately work did not proceed because SWH Health and Safety Manager identified that appropriate Construction Design and Management (CDM) documentation was not in place and furthermore maintained that they had only quoted for removing the wall, expecting reduced levels of the retained ground to have been completed before they commenced.

I am advised that DBCP have now appointed an alternative engineer who will also assist with CDM compliance. A revised commencement date for all works to commence has now been agreed for 2 May 2016.

Recognising that this is further undue delay our staff will discuss with DBCP to identify if there is anything further that we could do to assist moving the date forward for work to commence.”

70. **T18 Monitoring Report**

The Executive considered a report that set out the latest position and progress to date with the T18 Transformation Programme.

Before he introduced the report, the Leader made reference to the iESE Council of the Year awards that the Council had recently won. He commended Members on the brave decisions that they had taken to undertake the Transformation Programme, and recognised the work of the Executive Directors and staff. He then introduced the report, and in doing so he responded to questions previously submitted by another Member.

During discussion, the following points were raised:

- (a) Members had questions about the relationship with Civica, and wanted to know if the Council would benefit if the systems being trialled here were developed to sell to other authorities. In response, the Executive Director (S&C) confirmed that the contract included intellectual rights. It was also stated that weekly progress meetings now took place with Members of the Senior Leadership Team and Civica, to ensure progress and monitor slippage;
- (b) One Member stated that she would prefer to see an overspend on the budget and know that Town and Parish Councils were not struggling. The Council should be able to tell its story with confidence and this was not the case currently. The Leader responded that people would have different views on whether the timeline of the programme had been undertaken in the right order but it was heading in the right direction;
- (c) The Chairman of the Overview and Scrutiny Panel stated that the assessment process had highlighted the weaknesses in the performance management and appraisal system. The Executive Director SD&CD advised that a new system was in place and agreed to present it to a future meeting of the Overview and Scrutiny Panel.

It was then:

RESOLVED

That progress to date on the T18 Transformation Programme be noted.

71. **Treasury Management and Annual Investment Strategy for 16/17**

Members were asked to consider a report that sought approval of the Prudential Indicators, the Treasury Management Strategy and the Investment Strategy, as set out in the presented agenda report.

The Portfolio Holder for Support Services introduced the report and took Members through the key areas.

The s151 Officer responded to questions specifically regarding interest rates and the rules regarding investment and Treasury Management Practice.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to approve:

1. The prudential indicators and limits for 2016/17 to 2018/19 contained within Appendix A of the presented agenda report;
2. The Treasury Management Strategy 2016/17 and the treasury prudential indicators 2016/17 to 2018/19 contained within Appendix B of the presented agenda report; and
3. The Investment Strategy 2016/17 Appendix C and the detailed criteria included in Appendix D of the presented agenda report.

72. **Revenue Budget Monitoring Report**

Members were asked to consider a report that updated them on the forecast income and expenditure variations for the 2015/16 financial year.

The Portfolio Holder for Support Services introduced the report.

A number of questions were asked regarding notes specific to Environment Services and the Portfolio Holder for Environment Services and the Group Manager for Commercial Services responded to those questions. Within her response, the Group Manager advised

that the Council had been affected by market changes in respect of recycling credits, and that the issue of manual workers salary costs would be addressed through the recruitment of a lower number of agency staff. One Member noted that the waste review had taken the longer term view and whilst the Council may be losing currently in respect of recycling income, in the longer term this would balance out.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2015/16 financial year and the overall projected overspend of £45,000 (0.5% of the total budget £8.839 million) be noted.

73. **Our Plan: South Hams - Progress Monitoring and Our Plan 16/17**

Members were asked to consider a report that set out progress in relation to Our Plan: South Hams.

The Leader introduced the report and advised that Our Plan: South Hams would also be an agenda item at the forthcoming Overview and Scrutiny Panel meeting.

Members raised queries regarding Neighbourhood Plans, however, this was not the subject of this agenda item. The Lead Specialist Place and Strategy agreed to see those Members separately regarding Neighbourhood Plans. He also assured Members that future reports would be clearer in respect of their purpose.

It was then:

RESOLVED

That progress in relation to Our Plan: South Hams be noted.

74. **Community Reinvestment Project Fund 2015/16 Grant Allocations**

Members were presented with a report that sought approval of five grant applications totalling £112,900 from the 2015/16 Community Reinvestment Project Fund.

The Portfolio Holder for Commercial Services introduced the report and outlined the background to the scheme.

Members briefly discussed this item, and all agreed that this was a good news story for the Council. Members from the wards that would benefit from the grant allocations expressed their thanks for the funding.

It was then:

RESOLVED

That the five grant applications totalling £112,900 from the 2015/16 Community Reinvestment Project Fund be approved.

75. **Procurement Strategy**

Members were asked to consider a report that sought approval of the Devon Districts Procurement Strategy 2015-2018.

The Portfolio Holder for Support Services introduced the report. One Member asked if the Dartmoor National Park Authority had been invited to be part of the Group. In response to another question, the Leader confirmed that each participating Council would be asked to appoint a Member Champion.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to formally adopt the Devon Districts Procurement Strategy 2015-2018 and implement the contents.

76. **Debt Recovery Policy**

Members were presented with a report that sought adoption of a Joint Corporate Debt Recovery Policy.

The Portfolio Holder for Commercial Services introduced the report. One Member commented that, as an external document, care should be taken with how it was presented.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to adopt the Joint Corporate Debt Recovery Policy.

77. **Write Off Report**

Members were asked to consider a report that informed them of the debt written off for revenue streams within Revenue and Benefits. Debts up to the value of £5,000 were written off by the s151 Officer under delegated authority. Permission was sought to write off individual debts with a value of more than £5,000.

The Portfolio Holder introduced the report. The Finance Business Partner responded to a small number of queries in respect of the debts to be written off.

It was then:

RESOLVED

1. That, in accordance with Financial Regulations, the s151 Officer had authorised the write off of individual debts totalling £33,524.52 as detailed in presented Tables 1 and 2 of the agenda report; and
2. That the write off of individual debts in excess of £5,000 totalling £5,566.63, as detailed in Table 3 of the presented report, be approved.

78. **The Future of the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC)**

Members were asked to consider a report that outlined proposals to wind up the Devon Authorities Waste Reduction and Recycling Committee and replace it with a new joint Devon Authorities Strategic Waste Committee.

The Portfolio Holder introduced the report. One Member expressed the view that he hoped that this would lead to a Devonwide waste collection service as this would be the most efficient way forward. Other Members were concerned to hear this view. The Lead Specialist explained that the group would look at making savings where they could, for instance in procurement matters, and where they could share knowledge, and work towards economies of scale. One of the significant issues preventing a joined up waste collection service was the fact that different authorities had different contract end dates.

The Chairman of the Overview and Scrutiny Panel requested that the Operating Rules and Terms of Reference be amended to include the wording 'which does not undermine each individual authority'. This was agreed.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to:

1. support the proposal to wind up the Devon Authorities Waste Reduction and Recycling Committee
2. agree to the establishment of the joint Devon Authorities Strategic Waste Committee on the draft terms of reference set out in the Operating Rules attached at Appendix 1. and that any significant changes to the terms of reference be brought back to Council for further approval
3. agree that the Portfolio Holder for Waste be appointed as the South Hams Member of the Devon Authorities Strategic Waste Committee, and that a named substitute, with full voting rights, will attend in the absence of the Portfolio Holder;
4. agree that any minor changes considered necessary to the terms as highlighted be delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Portfolio Holder for Waste.

79.

Communications Policy and Protocol

Members were asked to consider a report that sought approval of the joint Communications and social media Policies and the protocols in the Revised Communications protocol.

The Deputy Leader introduced the report, and also took the opportunity to introduce the Communications Team.

Members did raise a concern over the advice that Members should always contact the Press Office prior to speaking to the Press. The Leader clarified that this related purely to the occasions when Members were speaking on behalf of the Council. In response to a query from an Opposition Group Member, the Leader also clarified that Members needed to ensure their message was factually correct, but they were of course able to express their views as to whether or not they agreed. The Lead

Specialist Communication and Media confirmed the importance of ensuring that the message was accurate.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that:

1. the joint Communications and Social Media Policies (as attached at Appendix A) be adopted for South Hams District Council; and
2. the protocols in the revised Communications protocol January 2016 be acknowledged and adopted.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.71/15, E.75/15, E.76./15, E.78/15, E.79/15, WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 19 MAY 2016, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 21 MARCH 2016 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

The Meeting concluded at 12.50 pm

Signed by:

Chairman
