

South Hams Executive



Title:	Agenda
Date:	Thursday, 7th April, 2016
Time:	11.00 am
Venue:	Cary Room - Follaton House
Full Members:	<p style="text-align: center;">Chairman Tucker</p> <p style="text-align: center;">Vice Chairman Ward</p> <p><i>Members:</i> Bastone Hicks Gilbert Wright</p>
Substitutes:	Named substitutes are not appointed
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

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to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Executive held on 4 February 2016 (previously circulated);

2. Members in Attendance

the Chairman is advised of non Executive Members wishing to speak;

3. Urgent Business

brought forward at the discretion of the Chairman;

4. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of 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. Public Question Time

15 - 16

a period of up to 15 minutes is available to deal with questions submitted to the Council in accordance with the Executive Procedure Rules;

7. Dartmouth Park and Ride Site - Out of Season Arrangements

17 - 20

8. Amendment to the Air Quality Management Area for

21 - 34

Totnes

9. Reports of Other Bodies

35 - 44

a) Overview and Scrutiny Panel – 17 March 2016

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 4 FEBRUARY 2016**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr H D Bastone	*	Cllr R J Tucker
*	Cllr R D Gilbert	*	Cllr L A H Ward
*	Cllr M J Hicks	*	Cllr S A E Wright

Also in attendance and participating		
Item 7	E.58/15	Cllrs Baldry, Barnes, Brazil, Cuthbert, Green, Hodgson, Pearce, Pennington, Saltern
Item 8	E.59/15	Cllrs Brazil, Green, Pearce
Item 10	E.61/15	Cllrs Barnes, Brazil, Green, Hodgson, Pennington
Item 11	E.62/15	Cllrs Brazil, Foss, Green, Hitchins, Hodgson, Holway, Pearce, Saltern
Item 13	E.64/15	Cllrs Foss, Pearce, Vint
Item 14	E.65/15	Cllr s Cuthbert, Foss, Hodgson, Holway
Also in attendance and not participating		
Cllrs Blackler, Bramble, Brown, Cane, May, Pringle, Rowe, Smerdon and Steer		

Officers in attendance and participating		
All items		Executive Director Service Delivery and Commercial Development (SD&CD) (SH) and Senior Case Manager (KT)
Item 7	E.58/15	COP Lead Finance (LB), Finance Business Partner (PH)
Item 8	E.59/15	COP Lead Finance (LB), Finance Business Partner (PH)
Item 9	E.60/15	COP Lead Finance (LB), Finance Business Partner (PH)
Item 11	E.62/15	Ginette Beal of Grant Thornton
Item 13	E.64/15	Lead Specialist – Place and Strategy
Item 14	E.65/15	Lead Specialist – Housing, Revenues and Benefits

E.55/15 MINUTES

The minutes of the Executive meeting held on 10 December 2015 were confirmed as a true record and signed off by the Chairman.

E.56/15 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 Cllr Ward declared a personal interest in Item 7: 'Revenue Budget Proposals 2016-17' (Minute E.58/15 below refers) by virtue of being a member of the management board of Citizens Advice.

E.57/15 PUBLIC QUESTION TIME

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

Question from Ms Barbara Smith to Cllr Tucker:

1. 'Devolution: Could you please give a brief explanation of how it affects our area and let us know when the public will be fully informed about it, and when the public will be voting on it. Thank you'

In response, the Leader advised that Ms Smith was welcome to stay in the meeting as there was an agenda item later that would go into this matter in more detail. He also confirmed that there was no duty to keep residents informed and no voting mechanism.

Ms Smith asked a supplementary question as follows:

Do you feel the public are receiving sufficient information for such a major change?

In response, the Leader advised that if Ms Smith stayed and listened to the debate it would give a wider picture.

Question from Mr Dennis Silverwood to Cllr Hicks:

2. Given the intent of South Hams District Council to reflect cross boundary issues into their strategic plan under the 'Duty to Co-operate' and moreover to investigate the possibility of working with neighbouring authorities to produce a Joint Local Plan is it not now appropriate to refuse or defer applications which have substantial cross-boundary impacts and which are opposed by Plymouth City Council both on policy and practical grounds?

In response, Cllr Hicks stated that it is of course a requirement of all Local Planning Authorities (LPA) to consult with adjacent local authorities. This we have been doing for years and this cooperation includes West Devon Borough Council and the Dartmoor National Park as well as Plymouth City Council.

Part of our requirement to produce a new Local Plan includes the continuing need to take account of changes to planning guidance and regulation, and also the differing needs of the wider HMA.

In the interests of a more effective Local Plan, we have been discussing with the LPAs mentioned above, the possibility of planning comprehensively across the HMA through the production of a joint Local Plan. However, this does not mean that the participants will amalgamate into a single larger LPA. Each authority will still own their policies and decision making powers.

The issue of planning applications is a separate matter. The Council needs to consider and decide upon applications on their own merits and based on policies and guidance in force at the time. This Council will continue to consider and decide applications on this basis and has no remit to delay consideration of current applications. Indeed, all LPAs are under an obligation to deal with each application within specific timescales.

Question from Mr Alan White to Cllr Ward:

3. When LEP partners (Local Enterprise Partners) assist with development projects, where are these partnerships arrangements disclosed in planning applications in South Hams?

In response, Cllr Ward answered that the LEP is a high level strategic body and the business and governance of the LEP are open to public examination through their website. We are not aware of any mandatory requirement to automatically provide information in relation to LEP interest in a planning application. If asked about a specific application we would make enquiries.

Mr White asked a supplementary question in that he wanted to know if a two tier planning system would result whereby applications with LEP involvement would have priority.

In response, Cllr Ward advised that every application was considered on its merits and would go through due process. Applications would not be able to jump the system.

Questions from Ms Georgina Allen to Cllr Hicks:

4. In the Statement of Intent and the Devolution Bid, Totnes seems to have been picked out as a future growth hub. What does this mean and by what mandate does the LEP have any say in our future?

In response, Cllr Hicks advised that, having read the document attached to the Agenda Item 10 which was the up to date document, this question had caused some confusion as there was no reference to Totnes in it. Speaking generally, the LEP, which covered a large geographical area, was, as mentioned before, a high level strategic body whose powers were becoming more clearly defined as time passed. Different bodies had different involvements in our plans for the future.

5. Why have the new homes bonuses from developments in Totnes, not been spent to improve infrastructure in Totnes?

In response, Cllr Hicks advised that in February 2015, this Council made a corporate decision to allocate our New Homes Bonus in a certain way. This decision was taken in the knowledge that all our local communities have specific requirements. The allocations were:-

- £5,794 to DNP
- £10,000 CAB Outreach
- £153,900 community Reinvestment Project
- £464,000 Housing Capital Projects
- £100,728 Capital Programme Reserve

In March 2015, a Council decision was taken that part of the Community Reinvestment Project should be allocated as follows:

- Totnes Development Trust - £27,225
- Totnes Town Council - £26,821

6. Why does 'adverse impact on road conditions', by which various small developments have been rejected at planning, not seem to matter with large developments?

In response, Cllr Hicks advised that Devon County Highways are statutory consultees on most planning applications and the potential impact of any proposed development on the Highways network is assessed on a case-by-case basis. The comments and recommendations of the Highway Authority are taken into account by this Council when coming to a decision on a planning application. Larger sites allocated for development in Plan documents are most likely to have already been accepted in principle by the Highway Authority as part of the Plan preparation process. Smaller scale developments coming forward as windfalls could raise locally significant issues for example on grounds of safety. That could result in a recommendation of refusal from the Highway Authority.

7. In what ways are the council helping building in the South Hams to move from developer-led, to community-led builds?

In response, Cllr Hicks advised that SHDC recognises the benefits of community led and self and custom build housing.

There is however no Government requirement that would allow us to prioritise community led development over that from housebuilders. In order to build sufficient new homes in sustainable locations we need to ensure that a broad mix of housing is built and that clearly will include those built by developers as well as community groups. However, we do what we can, given the shortage of local government funding. In December last year we instigated the community housing fund. This fund is in the sum of £100,000 to assist in development costs of community housing projects. First payment from this fund is imminent and amounts to £25,000.

8. Taking into account that there are up to 1,000 new builds going up round Totnes and Dartington and that Bloor Homes is advertising Baltic .wharf in London, please can you explain why the reason still given for allowing planning permission is the need for houses in Totnes - Cocoa Nurseries?

In response, Cllr Hicks advised that SHDC as the local planning authority is obliged to consider all applications on their merits. The developments mentioned in the question are, with the exception of two, on the sites allocated in the LDF in existence at the present moment. For the record, the houses currently being built or recently completed total 628.

As a supplementary question, Ms Allen stated that she had other information relating to the number of houses built that gave different figures. What was the correct figure?

Cllr Hicks responded that this depended on how the question was phrased and suggested a separate meeting to deal with this matter.

E.58/15 **REVENUE BUDGET PROPOSALS REPORT 2016-17**

The Executive considered a report that set out a series of recommendations for the revenue budget for 2016/17.

The Leader introduced the report and explained how the surplus predicted in the October 2015 Medium Term Financial Strategy report had reduced as a result of new regulations in respect of waste and recycling and the Government reducing Revenue Support Grant funding earlier than previously advised. He then took Members through the detail of each recommendation.

During discussion, the following points were raised:

- (a) The Portfolio Holder for Support Services requested inclusion of a further recommendation that would seek authorisation to support the waste review as detailed in paragraph 5.10 of the presented report. This was subsequently **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED**;
- (b) A Member sought approval of a token payment of £1000 to the Plymouth Citizens Advice to support the service for residents at the Western end of the district. Whilst Members agreed with and sympathised with the lack of a Citizens Advice service at the Western end of the district, it was not felt that a token payment would address matters and it was confirmed that a Task and Finish Group was currently looking at the working arrangements with all Partnerships and Citizens Advice and the CVS were included in this piece of work;
- (c) One Member put forward an alternative proposal for a number of strands of funding to be amalgamated and used as a starting point to address the issue of delivery of affordable homes for the benefit of the community. The Leader responded that the Council did contribute to housing and whilst he accepted that the New Homes Bonus funding could be used this year, if it were, then this would not assist in meeting budget gaps in future years;

- (d) One Member raised concerns that insufficient funding was being used for Disabled Facilities Grants and was concerned with how the Grants were allocated and that vulnerable people would have to wait longer for help. The Executive Director (SD&CD) agreed to look at this;
- (e) Following a number of comments in relation to the waste review, the Portfolio Holder for Commercial Services confirmed that the Task and Finish Group would report their findings in due course;

The COP Lead Finance responded to a number of detailed queries in respect of the presented agenda report.

It was then **RESOLVED** that Council be **RECOMMENDED**:

1. to increase Council Tax by 1.99% (which equates to a Band D council tax of £148.31 for 2016/17, an increase of £2.89 per year or 6 pence per week). This equates to a Council Tax requirement of £5,488,062 (as shown in Appendix B1 of the presented agenda report));
2. that the financial pressures in Appendix B1 of the presented agenda report of £1,690,000 be agreed;
3. that the £10,000 discretionary budget bid for the Citizens Advice service be agreed;
4. that the schedule of savings identified in Appendix B1 of the presented agenda report totalling £1,252,000 be agreed;
5. that the Collection Fund Surplus of £210,000 as shown in Appendix B1 of the presented agenda report be agreed ;
6. that the level of contributions to reserves to be included within the Authority's budget, as set out in Appendix C2 of the presented agenda report be agreed (this includes using £500,000 of New Homes Bonus funding to fund the 2016-17 Revenue Budget);
7. to transfer the budget surplus in 2016/17 of £297,240 into a Contingency Earmarked Reserve (see paragraph 1.6 and 1.7 of the presented agenda report);
8. that the allocation of Council Tax Support Grant for Town and Parish Councils be set at £101,658 in 2016/17, a reduction of 9.9 % (Appendix E of the presented agenda report refers);
9. that the Council should set its total net expenditure for 2016/17 as shown in Appendix B1 of the presented agenda report at £8,312,767. This is subject to final confirmation of Government funding which will be notified in February 2016. If the Government changes the funding, delegated authority is given to the S151 Officer in liaison with the Leader of the Council to identify an appropriate solution;

10. to allocate £153,900 of New Homes Bonus funding for 2016/17 to the Community Reinvestment Projects budget for 2016/17. Any under spend from the 2015/16 Community Reinvestment Projects budget of £153,900 is to be transferred into the Capital Programme Reserve;
11. that the Council transfers £24,606 of its allocation of the New Homes Bonus for 2016/17 to the Dartmoor National Park Sustainable Community Fund. The funds are awarded as a one off payment to Dartmoor National Park, to award projects on an application basis administered by Dartmoor National Park. The following conditions will apply;
 - A. decisions must be taken in consultation with the South Hams District Council local Ward Member(s);
 - B. funding can only be used for capital spending on projects in those parts of Dartmoor National Park which fall within the South Hams District Council Boundaries and enable the Dartmoor National Park to carry out its social economic responsibilities; and
 - C. Dartmoor National Park reports on the progress in the application of, and use of the funds to the Overview and Scrutiny Panel, in time for budget decisions to be made
12. that £464,000 of New Homes Bonus funding from the 2016/17 allocation is used to fund housing capital projects (Disabled Facilities Grants and Affordable Housing). (The Capital Programme is a separate report on this Executive agenda and the funding is set out in section 4 of that report);
13. to transfer £150,000 of New Homes Bonus funding for 2016-17 into an Earmarked Reserve for the one-off costs of the Local Authority Controlled Company (LACC – see Section 5.9 of the presented agenda report);
14. To transfer the unallocated New Homes Bonus of £777,402 into an Innovation Fund (Invest to Earn) Earmarked Reserve (as per paragraph 7.10 and 7.11 of the presented agenda report);
15. That the minimum level of the Unearmarked Revenue Reserves is maintained at £1,500,000 as per Section 9 of the presented agenda report;
16. 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;
17. That a waste round review be supported that considers a four day waste and recycling collection round.

E.59/15 **CAPITAL BUDGET PROPOSALS FOR 2016/17**

Members were asked to consider a report that set out the capital bids to the 2016/17 Capital Programme totalling £1,765,000 and a suggested way that these bids could be funded.

The Portfolio Holder for Support Services proposed an additional recommendation following receipt of a tender for solar panels on the roofs of employment units at Burke Road. This additional recommendation was necessary as the tender was over budget. In discussion, Members expressed their support for this additional recommendation.

Following a brief discussion, it was then:

RESOLVED

That Council be **RECOMMENDED**:

- i) To approve the Capital Programme Proposals for 2016/17 totalling £1,765,000 as per Appendix A of the presented agenda report;
- ii) That the views of the Overview and Scrutiny Panel on the Capital Budget Proposals be endorsed, namely that an Options Appraisal is required with Member involvement for the Follaton House boilers (see paragraph 3.1.2 of the presented agenda report) and that any allocation of Locality vehicles (see 3.2 of the presented agenda report) be determined after the March 2016 Overview and Scrutiny Panel review of the Locality role;
- iii) To finance the Capital Programme of £1,765,000 by using:-
 - £635,000 from the Capital Programme Earmarked Reserve
 - £300,000 from Capital Receipts
 - £366,000 from Better Care Funding towards Disabled Facilities Grants and £464,000 from New Homes Bonus funding
- iv) That £40,000 be allocated from the Capital Programme Contingency Reserve to pay for solar panels on the roofs of employment units at Burke Road, Totnes

E.60/15 CAPITAL PROGRAMME MONITORING REPORT

Members were asked to consider a report that advised of the progress on individual schemes within the approved Capital Programme, including an assessment of their financial position.

It was then:

RESOLVED

That the report be noted.

E.61/15 HEART OF THE SOUTH WEST FORMAL DEVOLUTION BID

Members were asked to consider a report that sought recommendation of the Leaders current approach to devolution, the drafting of proposals, their submission and negotiation of a deal for the Heart of the South West. The Leader introduced the report and advised Members that, in his view, the proposal would maintain the identity of Devon and Somerset whilst providing benefits in line with the six workstreams as set out in the Prospectus for Productivity. He reiterated that this was a high level strategic plan and the recommendation today would enable further work and negotiation.

One Member felt there was not enough information available to make a recommendation and that residents should have more of a say in such an important change. It was pointed out however that there was no duty to consult with the public. Concerns were also raised by Members that one of the partners was the Local Enterprise Partnership, an unelected body.

Some Members thought the document should be amended to include the ability to impose second homes council tax. The Leader agreed to take this forward.

A number of Members raised concerns about the proposed governance structure. In reply, the Leader accepted those concerns but responded that this proposal was at a strategic level and it was important at this stage to be included, as that would enable the Council to take part in the negotiations.

It was then:

RESOLVED

That Council be **RECOMMENDED** to:

1. Endorse the Leaders current approach to devolution and the drafting of proposals, their submission and negotiation of a deal for the Heart of the South West, namely:

Working with local authorities, National Parks and the Heart of the South West Local Enterprise Partnership to deliver full proposals for devolution which will seek a formal agreement with Government on a formal devolution deal as set out in Appendix 1

2. Note that full Council will consider and be asked to approve the final devolution proposal; and
3. in the event of government timescales changing, or minor amendments being necessary, delegate authority to the Head of Paid Service in consultation with the Leader of Council to approve the final proposal.

E.62/15

PROPOSALS RELATING TO A LOCAL AUTHORITY CONTROLLED COMPANY

Members were presented with a report that sought authority to produce a detailed business case and implementation plan to enable further consideration of the establishment of a Local Authority Controlled Company jointly with West Devon Borough Council to deliver services for South Hams District Council, West Devon Borough Council, and to other organisations as contracts were won.

The Leader introduced the report and advised Members of an amendment to the published recommendation in how the funds were drawn down for the business case. This amendment was subsequently agreed.

A number of Members expressed concern about some aspects of the report, but supported the proposal as there was an understanding that it provided a framework within which further work would enable the detail to be developed to enable a specific recommendation to be made on the best way forward. It was made clear to Members that this proposal, if approved, would form part of the solution to address the predicted budget gap in 2020. The proposal would also enable the Council to become more commercially minded.

During discussion, the Executive Director (SD&CD) responded to specific questions relating to the West Devon Borough Council waste service and how its inclusion into the proposal would benefit both West Devon Borough and South Hams District Councils. She also responded to concerns expressed about a two tier staff system.

One Member thanked Grant Thornton for their balanced report. He then sought the Executive's support to amend the wording of the first recommendation and this was agreed.

Another Member felt that this proposal would benefit residents of the South Hams by enabling future proofing from local government reorganisation. However, he also expressed the view that the governance issue of the new organisation was significant and would need to be carefully considered.

It was then:

RESOLVED

That Council be **RECOMMENDED:**

1. To produce a detailed business case and implementation plan to enable further consideration of the merits of establishing a Local Authority Controlled Company jointly with West Devon Borough Council to deliver services for South Hams District Council and West Devon Borough Council, and to other organisations as contracts are won; and
2. That both Councils' costs for the preparation of the detailed business case and implementation plan of £300,000 be met from a budget provision of £150,000 being set aside in both Councils for this purpose, and that draw down of these funds be delegated to the Executive Director (SD &CD) in consultation with the Leader and Deputy Leader.

E.63/15

COMMUNITY RIGHT TO BUILD ORDERS – DELEGATED PROCEDURES

Members were asked to consider a report that recommended that the council approve a Community Right to Build Order Procedure, which was set out in the appendix to the presented report.

The Portfolio Holder introduced the report and advised Members that an application had already been received, hence the need to have an agreed procedure in place.

It was then:

RESOLVED

That Council be **RECOMMENDED:-**

1. That authority to approve the Community Right to Build orders Procedure as set out in Appendix 2 of the presented report be delegated to the Lead Specialist Place and Strategy in consultation with the Lead Member for Business Development and Local Plan and the local Ward Member(s) for the relevant Neighbourhood area; and

2. That, subject to approval of the above recommendation, appropriate changes be made to the Council's Neighbourhood Planning Protocol.

E.64/15 **EFFECTIVELY IMPLEMENTING SHDC DP11: HOUSING MIX AND TENURE**

Members were asked to consider a report that sought approval of a methodology to ensure that when proposals for new housing were presented to the Council for planning permission, that the houses being proposed met the varied needs of our communities.

The Lead Portfolio Holder introduced the report; a number of Members welcomed it. One Member asked if the term 'flats' could be replaced with 'apartments' as 'flats' sometimes had a negative connotation. One Member questioned the use of Office for National Statistics data rather than local data, however the Lead Specialist - Place and Strategy responded that an accredited data set would be required to support the Policy, but that did not mean that local data was also taken into account.

It was then:

RESOLVED

That Council be **RECOMMENDED:**

1. That, when applying policy SHDC DP11: Housing Mix, the following indicative housing size mix be used to inform housing proposals:
 - 35% - 1 and 2 bed dwellings
 - 35% - 3 bed dwellings
 - 30% - 4+ bed dwellings
2. To approve the use of Office for National Statistics (ONS) Neighbourhood Statistics data to inform the mix of housing type for housing proposals.

E.65/15 **SAFEGUARDING POLICY**

Members were asked to consider a report that sought to recommend to Council the adoption of the Safeguarding Policy.

The Portfolio Holder for Customer First introduced the report. One Member stated that Safeguarding Training for Members should be mandatory and Members discussed how best to take this forward.

It was then:

RESOLVED

That Council be **RECOMMENDED** that the Safeguarding Policy be adopted.

E.66/15 **REPORTS OF OTHER BODIES**

RESOLVED

That the following be received and that any recommendations contained therein be approved:

a) **Overview and Scrutiny Panel – 14 January 2016**

i. **O&S.66/15 BUDGET PROPOSALS REPORT 2016-17**

(NB. Recommendations under this minute had been taken under the earlier Item 7 – Revenue Budget Proposals for 2016-17 Minute E.58/15 above refers.)

ii. **O&S.74/15 TASK AND FINISH UPDATES – Dartmouth Lower Ferry**

RESOLVED That:

- a) At this point, the best overall service delivery choice for the Dartmouth Lower Ferry will be either via Option 1 or Option 2b (as outlined in the Business Case at Appendix A of the presented agenda report);
- b) Service efficiencies (as outlined at Section 2 of the business Case at Appendix A of the presented agenda report) be implemented as soon as is practicable; and
- c) Negotiations continue on the provision of the best operationally practical and cost effective solutions of the maintenance of the floating stock.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.58/15, E.59/15, E.61./15, E.62/15, E.63/15, E.64/15 and E.65/15, WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 11 FEBRUARY 2015, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 15 FEBRUARY 2016 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 1.05 pm)

Chairman

PUBLIC QUESTIONS AT EXECUTIVE MEETINGS

The Council at its meeting on 21 June 2001 agreed that 15 minutes should be set aside at the beginning of the Council's monthly Executive meetings to allow members of the public to ask questions.

Any member of the public who wants to raise a question at a meeting should:-

- (a) submit the question in writing to the Democratic Services Manager by 5.00 pm on the Monday prior to the Executive meeting. This will allow a detailed answer to the question to be given at the meeting. If advance notice of the question cannot be given, the Chairman of the meeting has the discretion to allow questions on matters which are felt to be urgent;
- (b) ensure that normally questions are no longer than 50 words in length;
- (c) ensure that the question does not relate to a specific planning matter (this is specifically excluded from the public question time);
- (d) ensure that the question relates to something over which the Council has some control and is suitable to be considered, ie, that it is not derogatory to the Council or relates to matters which the Council could consider confidential.

For any further advice on questions for Executive meetings, please contact Kathryn Trant (Member Services Manager).

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Report to: **Executive**

Date: **7 April 2016**

Title: **DARTMOUTH PARK AND RIDE SITE – OUT OF SEASON ARRANGEMENTS**

Portfolio Area: **Commercial Services**
(Report to be presented by Cllr Gilbert)

Wards Affected: **Dartmouth and East Dart**

Relevant Scrutiny Committee:

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: any recommendations will be considered at the Annual Council meeting on 19 May 2016

Author: **Cathy Aubertin** Role: **Operational Manager (Environment Services)**

Contact: **Telephone 01083 861234/ email: Cathy.Aubertin@swdevon.gov.uk**

RECOMMENDATION

That the Executive RECOMMEND to Council to approve the elimination of parking charges at Dartmouth Park & Ride site during the closed season.

1. Executive summary

- 1.1 The report requests that Members consider the recommendation to make an amendment to the South Hams Off-Street Parking Places Order in respect of Dartmouth Park & Ride car park, in order to support the community desire to increase footfall and encourage visitors and shoppers to the town during the Park & Ride closed season.

2. Background

- 2.1 In 2015, following consultation with the Dartmouth community, a pilot Park & Ride scheme was run in the town. Rather than buses running every ten minutes throughout the season, they ran every 20 minutes during school term, and every ten minutes during school holidays, when the demand is much higher. The pilot was monitored in order to establish what the impact would be on the overall cost of running the service, and in customer satisfaction.
- 2.2 Feedback from both customers and stakeholders was positive and, furthermore, the previous subsidy of up to £40,000 per annum required to support the service was eliminated.
- 2.3 Following the successful pilot, the bus contract was tendered on the same basis, and was awarded to Stagecoach in January 2016, with the service due to recommence on 25th March 2016 (Good Friday).
- 2.4 The community would like to build on this success by encouraging visitors to park at the Park & Ride site during the closed season, from November to mid-March, and then signpost those visitors to the public buses.

3. Outcomes/outputs

- 3.1 Should the Executive resolve to allow free parking during the closed season, the loss of income would equate to approximately £200 per annum, which would be made up by the savings from the new Park & Ride contract.
- 3.2 Officers will work with Dartmouth community in measuring the success of this initiative, and review as necessary.

4. Options available and consideration of risk

- 4.1 The alternative to this recommendation would be to continue to charge for parking at the Park & Ride site during the closed season, and continue to generate the small amount of income.

5. Proposed Way Forward

- 5.1 This recommendation is being proposed as a result of meetings and discussions with Dartmouth community members, including Dartmouth Town Council and BID. Both are keen to work in partnership with us to encourage more footfall in the town, and use of the Park & Ride site during the closed season.
- 5.2 Ward Members have been consulted in respect of this proposal in advance of this report.

5.3 The proposal to make this amendment to the Off-Street Parking Places Order is in line with the following priorities:

- Community well-being
- Access to services
- Towards excellence
- Customer first

5.4 The option to not proceed with the proposed amendment will have little impact for the District Council. However, Dartmouth community feels that the proposal will contribute significantly to increasing the footfall in the town and improve its vibrancy.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Council has the power to provide off-street parking under the Road Traffic Regulation Act 1984 (as amended).</p> <p>The Council has the power to deal with the provision, management and control of car parks.</p> <p>The Council has the powers to provide this service under the General Powers of Competence in the Localism Act 2011.</p>
Financial		<p>Amendments to the Off-Street Parking Place Order cost approximately £1,000 to advertise. However, due to the timing of this amendment, we may postpone the advertisement until we have other amendments, which will reduce this amount per amendment.</p> <p>The car parking budget will fund the cost of this amendment.</p> <p>This proposal will result in lost income of approximately £200. However, this is more than compensated for with the overall savings in the Park & Ride service.</p>
Risk		None
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.

Safeguarding		No implications.
Community Safety, Crime and Disorder		No potential positive or negative impact on crime and disorder reduction.
Health, Safety and Wellbeing		No implications.
Other implications		None.

Supporting Information

Appendices:

None.

Background Papers:

None.

Agenda Item 8

Report to: **Executive**

Date: **7 April 2016**

Title: **Amendment to the Air Quality Management Area for Totnes**

Portfolio Area: **Customer First: Cllr Bastone**

Wards Affected: **Dartington and Staverton, Totnes, Marldon and Littlehempston**

Relevant Scrutiny Committee: **N/A**

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Date next steps can be taken: Referral to full Council on 19th May with recommendation to determine the air quality management area for Totnes

Author: **James Kershaw** Role: **Senior Specialist Environmental Health**

Contact: **01803 861287 james.kershaw@swdevon.gov.uk**

RECOMMENDATIONS

- 1. That the Executive consider the two options available for amending the Air Quality Management Area (AQMA) for Totnes.**
- 2. That having considered the two options that the Executive recommend to Full Council that the AQMA order made by the Council on 28 May 2009, be amended to reflect the preferred option.**

1. Executive summary

- 1) Air Quality monitoring is a statutory requirement of the Council, it is part of the public health and wellbeing priorities of the Council.

- 2) The Council resolved to make an Order under the Environment Act 1995 to declare an Air Quality Management Area covering an area of Totnes bounding the A385, (as shown in Appendix 1) on 25 June 2009. The declaration was in relation to regular exceedances of Nitrogen Dioxide in the area of Bridgetown, therefore this triggered the legal duty to declare an Air Quality Management Area.
- 3) The Environment Act 1995 requires the local authority to monitor the air quality in its area. Monitoring of oxides of Nitrogen (NOx) at True Street junction on the A385 between Totnes and Torbay, has shown that the limit set under the legislation is being regularly breached.
- 4) The Department for Food and Rural Affairs (DEFRA) required that the Local Authority should produce an Updating and Screening Assessment (USA) on an Annual basis, the 2015 USA received comments from DEFRA stating that due to the regular breaches of the national limit there is now a need to declare an AQMA to cover the True Street junction.
- 5) By declaring an AQMA a Council must consider ways of mitigating the air quality impact to the AQMA, including controls on developments which may impact on an AQMA, this is considered through an Air Quality Action Plan devised in conjunction with the highway authority (Devon County Council).
- 6) In relation to the existing AQMA in Totnes, there has been limited progress taken by Devon County Council on implementing an adequate plan for mitigating impacts on the AQMA.
- 7) In relation to monitoring of the air quality in the rest of the current designated AQMA, there is only a short stretch of the area which regularly measures above the national limit. However the AQMA was originally set on the basis that each section of the A385 through Totnes has an impact on the Bridgetown section where the measured levels are above the national limit.
- 8) The Council will now need to decide whether to amend the current Air Quality Management Area boundary to just include True Street Junction, or whether to reduce the Western boundary of the area to only include the locations where the exceedances occur.
- 9) The next stage of the air quality management process is the production of an air quality action plan it is fundamental that we have the support of Devon County in producing this plan. The Council should seek confirmation from Devon County Council that they will resource this appropriately.

2. Background

- 1) The Environment Act 1995 lays down a number of statutory duties for Local Authorities regarding the management of air quality in their districts. Under Section 82 of this Act, local authorities must regularly review and assess air quality according to specified criteria. If air quality is found to exceed health-

based National Air Quality Objectives a local authority must designate the area affected as an Air Quality Management Area (AQMA) (section 83 of the Environment Act).

- 2) Following designation of an AQMA, a local authority is required, under section 84(1) of the Act, to undertake a further assessment of air quality in that area so as to evaluate any options that may be available to improve air quality. The further assessment involves a detailed examination of the problem and identification of the specific sources (e.g. types of vehicle) that contribute the most pollution.
- 3) In May 2009 the Head of Environmental Health brought before the executive a report recommending that *“an Order be made, under the Environment Act 1995 Part IV Section 83(1), to designate the areas hatched green on the attached plans...”*. This related to a section of the A385 running through the Totnes and Dartington wards (see map in Appendix 1). This Order was duly made following decision at Full Council on the 25th June 2009.
- 4) Further monitoring of the area surrounding the current Air Quality Management Area was undertaken, partially triggered by information received as part of a planning application.
- 5) This showed that the levels of Nitrogen Oxides (NO_x) in this area were regularly above the annual mean objective level set by The Environment Act 1995 of 40 µgm⁻³. µgm⁻³ is the scientific description of the quantity of a pollutant in any given volume of air:

Table 1: Measured levels of

Year	Annual mean, bias-adjusted results are (in µgm ⁻³)
2013	51.3
2014	56.3

- 6) 40 µgm⁻³ of Nitrogen Dioxide is the legal limit set by the Environment Act 1995 and is set in order to protect health of residents living in properties in areas above this limit. Elevated NO₂ levels are generally due to exhaust emissions from vehicles. Nitrogen Dioxide is known to cause irritation of the respiratory tract and therefore has a greater impact on those already suffering from respiratory diseases such as asthma, emphysema etc.
- 7) These results were reported to DEFRA as part of the Council's updating and screening assessment in 2015, and they have subsequently commented that based on these figures the Council should now be considering declaring this area within an AQMA.
- 8) Once an AQMA is declared the Council is required to produce an air quality action plan (AQAP) in conjunction with the highway authority, with

the aim of reducing the levels of pollutants to within an acceptable level and manage the area so that the air quality levels do not get worse.

Whilst there is an existing AQAP for the Totnes area, there has been limited improvement in the air quality levels at Bridgetown hill. However monitoring along the rest of the AQMA has not demonstrated that the levels of NOx are above the objective level.

However the reason for setting the AQMA boundary as was set in 2009, was on the basis that each section of road has an impact on the traffic flows and in turn causes the elevated levels at Bridgetown Terrace.

- 9) Once an AQMA and AQAP is adopted they hold weight when considering planning applications which might individually or collectively with other applications have an impact on the AQMA.

Air quality can be a reason for refusal for planning permission, even on sites that have been allocated in the local plan if the developer cannot provide sufficient contribution to offset their application's impact.

Clearly therefore having a larger AQMA does have an impact on the potential for development in Totnes, however so far it has not been an overriding concern to applications that have come forward since the designation of AQMA.

Conversely it may be felt that having control over development and its impact on an AQMA is a benefit when seeking money for resolutions to the air quality problems in Totnes.

- 10) An initial meeting was held with Devon County Council's highways team in February 2016, it was determined during this meeting that there are limited options for improvement to the road network and therefore the focus of the air quality action plan will need to be around minimising the emissions of vehicles travelling through the AQMA. Various pieces of work were discussed, and there are various planning policies that could be implemented as part of the future local plan that would support this aim.

3. Outcomes/outputs

- 1) In DEFRA's response to the USA for 2015 they require that we consider designating the True Street junction by March 2016. Whilst this report has been brought forward in time, it is recognised that a decision cannot be reached in time for DEFRA's deadline, they are however satisfied that we are in the process of re-designating the AQMA in line with their advice to include the True Street junction.

4. Options available and consideration of risk

- 1) There are two options available to the Council, we could:

- Extend the Eastern boundary of the AQMA to include the True Street junction whilst retaining the Western Boundary (preferred).
 - Extend the Eastern boundary of the AQMA to include True Street junction whilst shrinking the Western boundary to the bottom of Bridgetown Terrace.
- 2) Option 1, has the continuing benefit of providing a much larger area meaning that the AQAP can include more potential proposals and have a greater control over future developments.

This is felt to be the preferred option on the basis that funding can be realised from future development with the aim of offsetting and improving air quality within the AQMA.

- 3) Option 2, has the benefit of refocusing the AQMA to only include the area where the national objective limits are breached, and would have less constraint on future development within the Totnes, Dartington and Berry Pomeroy wards.
- 4) Amendment of the AQMAs has the potential to cause concern for homeowners who may fear that their property value will be affected. It is important to note that AQMAs have been declared all over the country and extensively in Devon.

In order to allay any concerns it is proposed to implement a communication strategy aimed at residents and to invite representatives to be involved in the action planning process. The AQMAs are effectively vehicles to deliver improvements to an area which will directly benefit residents.

It will however be essential to obtain the support of Devon County Council when drafting any air quality action plan, and it must be noted that there has been some difficulty in the past in getting them to engage with this process.

5. Proposed Way Forward

- 1) That the Executive recommend to full Council that the air quality order for Totnes be amended, by extending the Eastern boundary to incorporate True Street junction but the Western boundary remain as current.
- 2) That an air quality action plan be produced initially focusing on the area around Bridgetown Terrace.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The UK government has a duty imposed on them by the European Union directive 96/62/EC and 99/30/EC.</p> <p>The UK government were successfully sued by pressure group Climate Earth in April 2015, due to their inaction in resolving air quality problems. The Localism Act 2013 allows the UK government to pass any fines received in European Courts to local authorities if the fine is due to the failure of an authority.</p> <p>The Council has a legal duty under the Environment Act 1995 to review and assess air quality in their area.</p> <p>The objective limits that the Council should be achieving are set in the Air Quality Regulations 2000, and the Air Quality (England) (Amendment) Regulations 2002.</p>
Financial		<p>There is no immediate financial implications to the Council due to the amendment to the air quality management area.</p> <p>Should the Council fail in its duty to manage the air quality problems in its area then there is a risk that any future fines received by the UK government could be passed down to the local authority.</p>
Risk		
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.
Safeguarding		No implications
Community Safety, Crime and Disorder		No implications
Health, Safety and Wellbeing		Having an active air quality action plan for Totnes which is being implemented and improving air quality

		will have a positive impact on the health and wellbeing of the residents in the area of elevated airborne pollutants.
Other implications		

Supporting Information

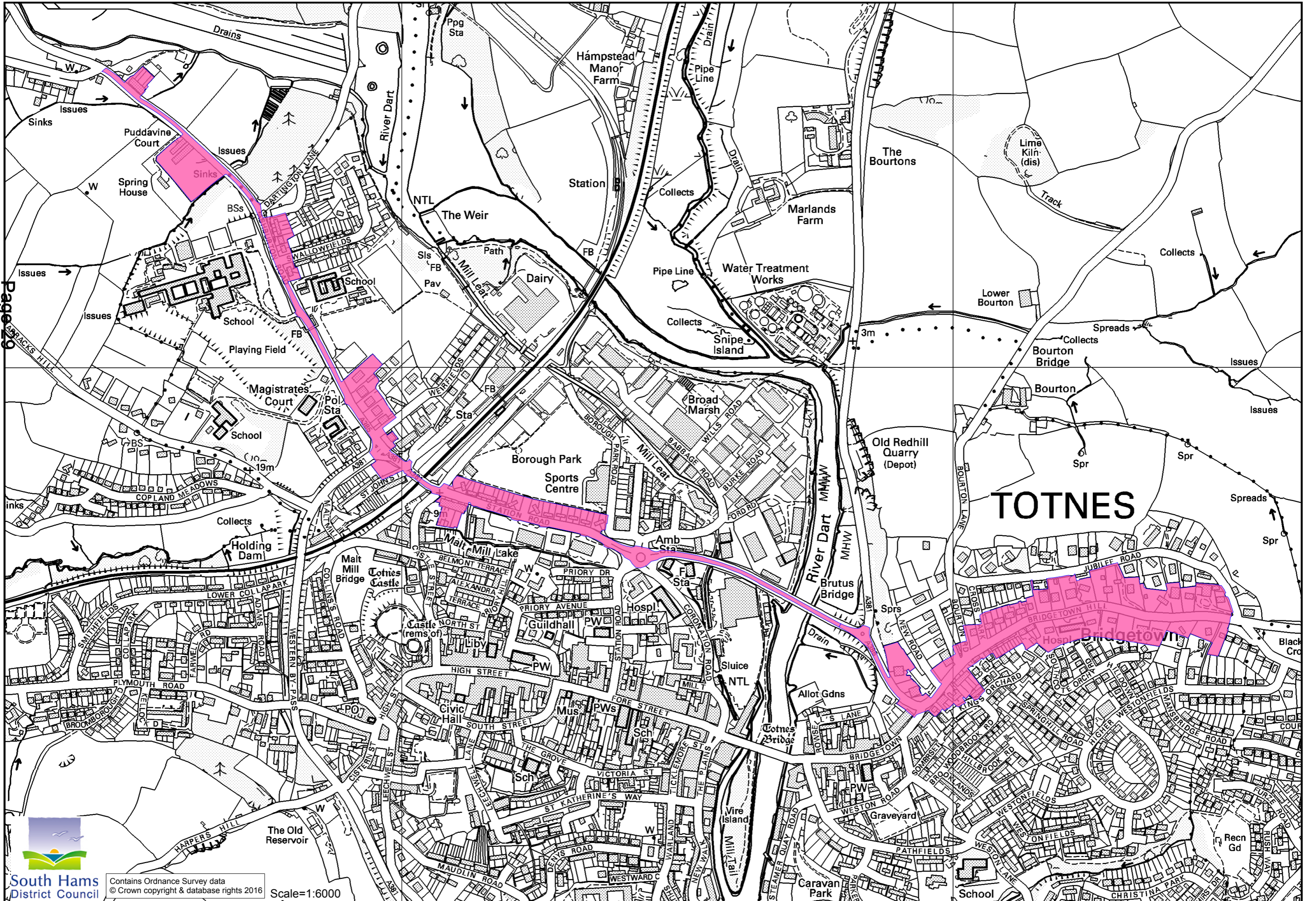
Appendices:

Map of Totnes Air Quality Management Area adopted 29 June 2009
 Map showing proposed extension of the Totnes AQMA to include True Street Junction.
 Map showing redrawing the AQMA to only cover Bridgetown Terrace to True Street Junction.

Background Papers:

None

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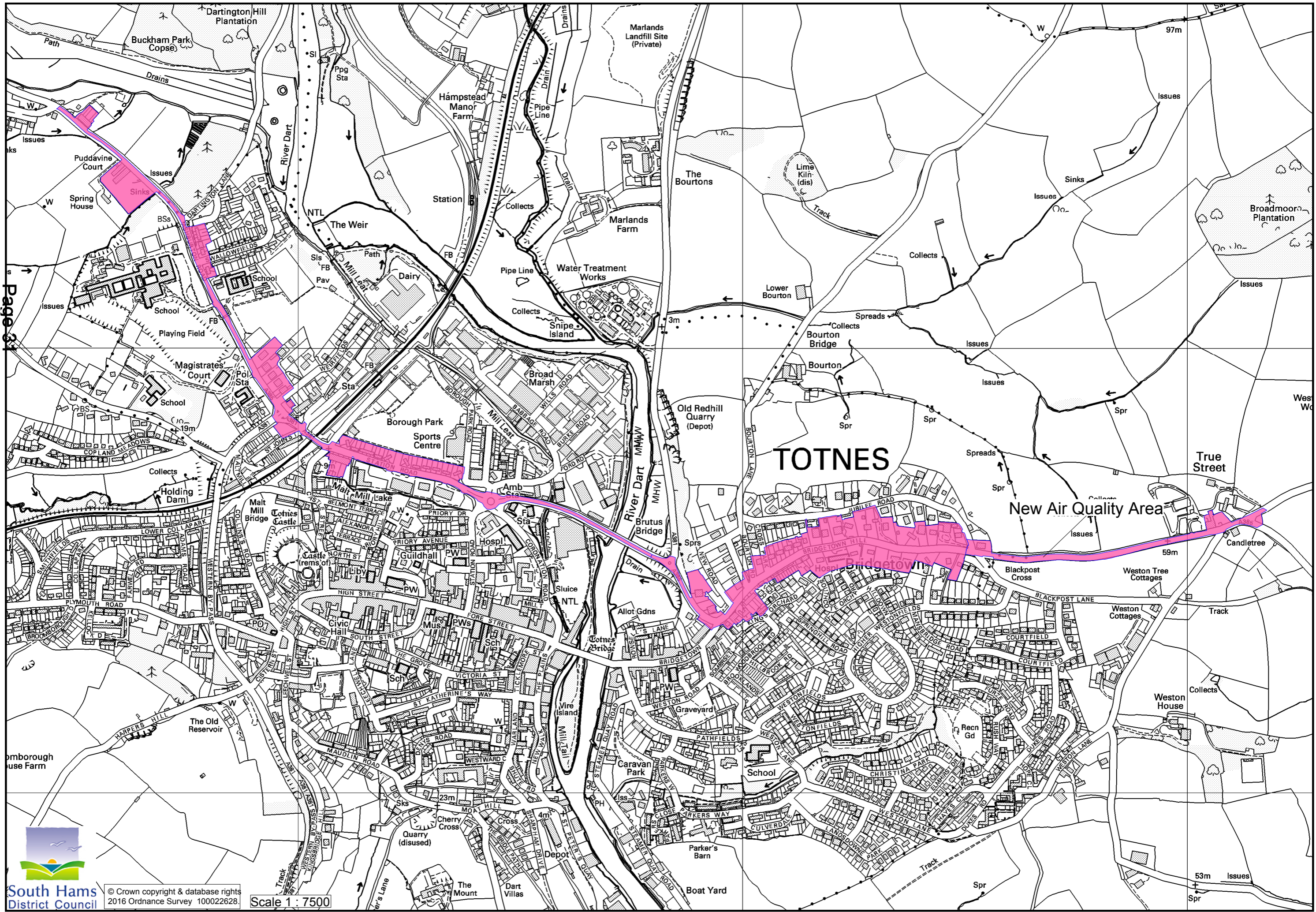
TOTNES



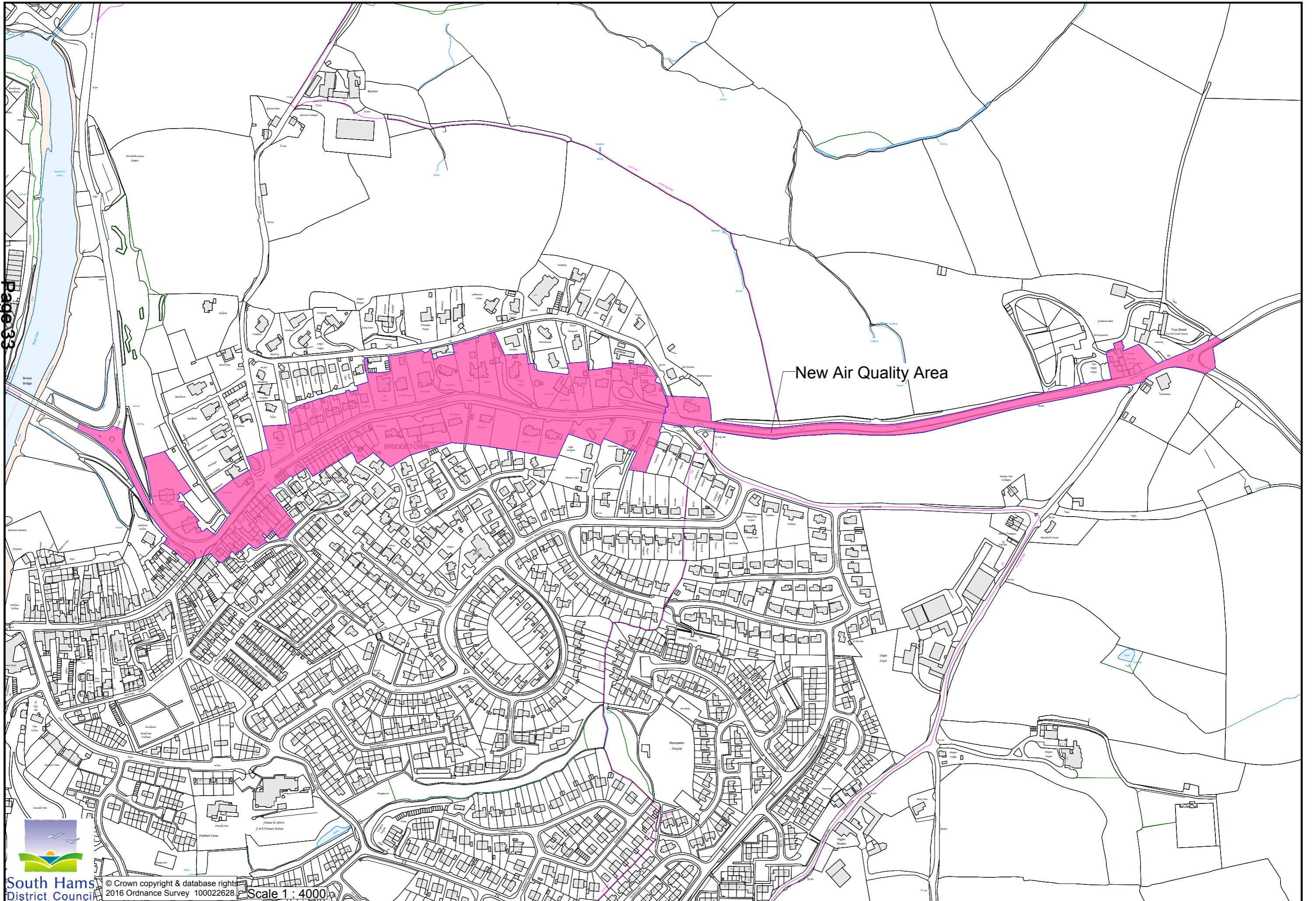
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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 17 MARCH 2016**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr D W May
*	Cllr J I G Blackler	*	Cllr J T Pennington
*	Cllr D Brown	*	Cllr K Pringle
*	Cllr J P Green	*	Cllr M F Saltern (Chairman)
*	Cllr J D Hawkins	*	Cllr P C Smerdon
*	Cllr N A Hopwood	*	Cllr K R H Wingate (Vice Chairman)
*	Cllr D Horsburgh		

Other Members also in attendance:
Cllrs I Bramble, J Brazil, P K Cuthbert, R F D Gilbert, M J Hicks, P W Hitchins, J M Hodgson, T R Holway, J A Pearce, R Rowe, R J Tucker, L A H Ward and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development) and Senior Specialist – Democratic Services
7(a)	O&S.87/15(a)	Community Of Practice Lead Specialist Housing, Revenues and Benefits
7(b)	O&S.87/15(b)	Monitoring Officer
8	O&S.88/15	Diverse Regeneration Company Managing Director and Programme Manager (Greater Dartmoor Local Enterprise Action Fund and South Devon Coastal Local Action Group) and Group Manager – Business Development
9	O&S.89/15	Lead Specialist – Place and Strategy
10	O&S.90/15	Locality Manager
11	O&S.91/15	Specialist – Performance and Intelligence
15	O&S.95/15	Group Manager – Business Development

O&S.84/15 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 25 February 2016 were confirmed as a correct record and signed by the Chairman.

O&S.85/15 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.86/15 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, no items were raised at this meeting.

O&S.87/15 EXECUTIVE FORWARD PLAN

Members were presented with the most recently published Executive Forward Plan.

In accordance with the Panel request made at its last meeting on 25 February 2015 (Minute O&S.78/15 refers), updates were presented on the following future Executive agenda items:

- (a) Homeless Strategy; and
- (b) Complaints Policy.

(a) Homeless Strategy

The Panel proceeded to consider a report that briefed Members on the commencement of work on a new joint Homeless Strategy for South Hams and West Devon. In addition, the report also sought the views of the Panel on how it wishes to contribute to the aims and actions of any proposed new Strategy.

In discussion, the following points were raised:

- (i) The Chairman reminded those in attendance and encouraged the use of the Scrutiny Proposal Form as the means for submitting future agenda item requests;
- (ii) Whilst not the unanimous view, the majority of Members emphasised the importance of Member involvement in developing the Strategy from the offset and therefore a number expressed their support for the establishment of a Task and Finish Group;
- (iii) Officers confirmed that a full consultation exercise would be undertaken as part of the development of the strategy;
- (iv) With regard to the primary purpose of the Group, the overriding view was that it should be established to develop a coherent and relevant Homelessness Strategy.

It was then:

RESOLVED

1. That a joint SH/WD Homeless Strategy Task and Finish Group be established, with its primary purpose being to develop a coherent and relevant Homelessness Strategy for the South Hams; and

2. That the SH representatives on this Group be as follows:
Cllrs Brown, Cuthbert, Green and Hawkins.

(b) Review of Corporate Complaints Policy

A report was presented to the Panel that recommended the adoption of a revised Corporate Complaints Policy.

In discussion, reference was made to:

- (i) the quality of the draft policy. A number of Members congratulated the Monitoring Officer for the production of an excellent draft policy;
- (ii) the proposed 30 days to prepare and send a response to a complaint. A debate ensued as to the suitability of this proposed timescale and, on balance, the Panel felt that the 30 day deadline should be retained initially and reviewed again by the Panel in nine months' time from its formal adoption;
- (iii) the complaints statistics being regularly reported through the quarterly performance measures agenda item.

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** that:

1. the revised Corporate Complaints Policy (as attached at Appendix A of the presented agenda report) be adopted and reviewed again in nine months' time from its formal adoption; and
2. That any minor amendments be delegated to the Monitoring Officer, in consultation with the Lead Executive Member for Support Services.

O&S.88/15 BRIEFING ON THE SOUTH DEVON COASTAL LAG AND GREATER DARTMOOR LEAF PROGRAMMES

The Chairman welcomed Liz Abell (Managing Director: The Diverse Regeneration (DR) Company and Programme Manager – Greater Dartmoor Local Enterprise Action Fund and South Devon Coastal Local Action Group) to the Panel meeting.

The Panel proceeded to consider a report that detailed the governance arrangements and how decision-making was performed in respect of applications to the Greater Dartmoor Local Enterprise Action Fund (LEAF) and South Devon Coastal Local Action Group (LAG).

In discussion, the following points were raised:-

- (a) A number of Members stated their grave concerns at the amount of effort and bureaucracy involved in the decision-making process. In particular, Members commented that the administrative costs associated with the decision-making process were very excessive and there was a perception that the process almost discouraged applications from being submitted. A Member representative informed that the Dartmoor National Park Authority had also expressed similar concerns.

In reply, Ms Abell agreed with the views expressed, however advised that the process was outside the control of the DR Company and, when considering that the process was the same regardless of the grant funding sought, was particularly disproportionate for applications under £5,000. Currently, a review of the entire process was being undertaken and any support that the Council could provide (e.g. through lobbying) to reduce the administrative burden would be greatly appreciated;

- (b) Regarding the transparency of decision-making, Ms Abell took Members through the process and advised that information was not able to be made publicly available until a decision was made. Whilst accepting that the DR Company was only working within the parameters imposed, some Members still regretted the lack of transparency and local engagement in the process. Having said that, Members did comment that they would not wish to see improved transparency lead to even greater administrative burdens being placed on the process;

Since one of the agenda report recommendations posed the question of how the DR Company could keep Members informed about its activities, the following two suggestions were agreed by the Panel:

- That, as soon as they were able to be told, local DR Company officers be requested to let every local ward Member know of information relating to their local towns and parishes; and
- That local ward Members be advised of those projects that had been approved within their local areas;

- (c) The Panel was advised that each approved project was monitored on an individual basis and, as a consequence, the DR Company had worked with over 500 projects;
- (d) It was noted that the current focus for applications was on the rural economy;
- (e) In response to a question, Ms Abell confirmed that the DR Company worked particularly closely with the Local Enterprise Partnership and there was an established filtering process in place to determine which of the two organisations should consider each application;

In conclusion, the Panel thanked Ms Abell for her informative and honest responses to Member questions and it was requested that an

additional recommendation should be included whereby a letter should be sent on behalf of the Council to the District Council Network outlining the areas of concern over the current decision-making process.

It was then:

RESOLVED

1. That the contents of the report be noted;
2. That to ensure Members are kept more informed:
 - o as soon as they were able to be told, local DR Company officers be requested to let every local ward Member know of information relating to their local towns and parishes; and
 - o local ward Members be advised of those projects that had been approved within their local areas;

That Special Council be **RECOMMENDED** that:-

3. a letter be sent to the District Council Network outlining the Council's grave concerns over the current decision-making process.

O&S.89/15 OUR PLAN: SOUTH HAMS REVIEW

A report was considered that sought to recommend that the Council adopt Our Plan: South Hams for the 2016/17 Financial Year.

In discussion, reference was made to:-

- (a) infrastructure being listed as only a 'Medium' priority. Some Members were of the view that infrastructure was of vital importance and a Medium priority was likely to send the wrong message to communities. In further discussion, the Panel agreed and requested that it be upgraded and labelled as being a 'high' priority, alongside Economy and Homes the T18 Programme.

Furthermore, a Member felt that reference to the term 'reduced' priorities was also not conveying the right message and should therefore be re-worded;

- (b) the need for greater emphasis to be given to affordable homes. A number of Members considered that there was a strong need to include in the Plan an additional paragraph specifically relating to the importance that the Council placed on affordable housing provision and enabling residents the opportunity to work locally;

- (c) Neighbourhood Planning Groups. It was acknowledged that the draft document was currently lacking in emphasising the need to work with local Neighbourhood Planning Groups;
- (d) the establishment of SMART targets. In making the point that, on reflection, the 2015/16 Annual Activity Plan had been too ambitious and lacking in clear targets, a Member commented that the 2016/17 version should have fewer aspirations and be realistic. In response, officers highlighted the streamlined draft 2016/17 Delivery Plan contained within Appendix 4 of the presented agenda report and the role of the Panel in regularly monitoring progress against the adopted Plan;
- (e) the tone and language used in the Plan. As a general point, officers confirmed that they were aware of the need for more work to be undertaken to ensure that the Plan was reader friendly and understandable to local communities and stakeholders;
- (f) the 'Vibrant towns and Villages whilst conserving the Natural Environment' section. Members felt that there was a need to include in the content of the South Hams Vision specific reference to the term 'Natural Environment';
- (g) the merits of establishing a joint South Hams/West Devon Member working group to agree the scope and details of the Economic Development work. Some Members expressed their concern at the proposal for a joint group in light of there being a number of distinctly different economic issues facing the two areas. In response, officers gave an assurance that, as and when required, the group Members would retain the ability to meet separately within their host councils.

It was then:

RECOMMENDED

That Special Council be **RECOMMENDED** that:

1. the progress on the 2015/16 Our Plan; Annual Activity Programme (appendix 1 of the presented agenda report refers) be noted;
2. *Our Plan: South Hams* (as presented at Appendix 2 of the presented agenda report) be adopted for the 2016/17 Financial year as a document that:-
 - Recognises *Our Plan: South Hams* as the single comprehensive Council Plan and recognises the importance of infrastructure being given the same emphasis as economy and homes;
 - Stresses the importance of housing being provided that reflects the unique needs and special requirements of the South Hams area;
 - Restates the Council's corporate Vision and Objectives;

- Establishes the common basis for the Councils Financial Plan, Asset Management Plan, Local Plan and all other Plans and Strategies;
- Establishes priorities for delivery including a delivery plan commencing in 2016/17;
- Establishes mechanisms for delivery and ensuring the use of SMART targets;
- Establishes engagement, monitoring and review procedures; and
- Provides context for subsequent incorporation of the Local Plan element currently subject to separate preparation

Subject to inclusion of any amendments, which are to be delegated to Lead Specialist – Place and Strategy, in consultation with the Leader of Council, Executive Lead Member for Strategic Planning and the Chairman of the Overview and Scrutiny Panel.

3. Establish a joint South Hams and West Devon Member working group to agree the scope, details and key measures of the Economic Development work, with Group Leaders being invited to make their nominations to serve on the Group whilst having consideration to the need for geographical balance of representatives; and
4. Undertake further work to identify *Key Measures* for the 8 Our Plan objectives that are clear expressions of the Councils intentions and which can be measured and readily promoted. Agreement of these to be delegated to Lead Specialist – Place and Strategy, in consultation with the Leader and Executive Lead for Strategic Planning.

O&S.90/15 **LOCALITY DELIVERY**

The Panel considered a report that explained how the locality service was currently operating and proposed adjustments to the service to meet current business need. The report also sought to allay Member concerns which had recently emerged through Member consultation.

During discussion, the following points were raised:

- (a) The Chairman wished to thank those Members who had taken advantage of his invitation to make comments on the Service prior to this agenda item being presented. The responses submitted were thought to be well informed and gave a balanced overview and had been taken into account during the production of this report;
- (b) The majority view amongst Members was that the Service was still very much in its infancy and deserved to be given more time to establish itself. As a consequence, the suggestion that a further formal review be presented back to the Panel in six months' time was welcomed;

- (c) With regard to the value for money provided by the Service, it was acknowledged that the Locality team was now taking on responsibilities which were previously undertaken by higher paid officers;
- (d) Specifically regarding the Locality Engagement Officers, some Members expressed the view that there was still more work to be carried out to define the role and ensure that it was not duplicating the role of a local ward Member. For clarity, the Locality Manager confirmed that these officers were able to attend town and parish councils, however this was at the discretion of each local ward Member.

As the debate ensued, it became apparent that a number of Members questioned the value of these officers attending low footfall events such as coffee mornings. The belief was also stated that there was a need to revisit the job title of this role, with 'Place Case Manager' suggested as being a more appropriate description.

To counter some of the concerns expressed, Members did also advise that the role was being well received amongst town and parish clerks and, in a number of instances, the officers had helped them to resolve local issues more easily;

- (e) There was widespread support reiterated by a number of Members for the work particularly undertaken by the Mobile Locality Officers.

It was then:

RESOLVED

1. That the revisions to the Locality Service (as detailed in Section 5 of the presented agenda report) be agreed to meet existing business demand; and
2. That ongoing monitoring takes place, with a further review report being presented to the Panel in six months' time.

O&S.91/15 PERFORMANCE REPORT

Members were presented with a report that outlined the performance measures for Quarter 3.

In the ensuing debate, reference was made to:

- (a) the need for future performance reports to be produced in more simplified language. Furthermore on the format of future performance, the point was made that there was a need for more accurate narratives to supplement the actual figures;
- (b) the end to end time for new benefit claims. Some Members emphasised the importance and priority of ensuring that performance was improved in this regard;

- (c) the average call answer time. A number of previously raised concerns were again raised and Members lamented the apparent lack of improvement in service performance. In response, officers reminded the Panel that, by looking at the quarter 3 indicators, these were in effect unchanged to those presented to the Panel during the last Contact Centre Update on 14 January 2016 (Minute O&S.67/15 refers). In conclusion, it was felt that a more realistic picture of the service performance would be drawn once the new IT and telephony systems were in place;
- (d) planning enforcement. In reply to some concerns, it was intended that the decisions taken at the Special Council meeting on 25 February 2016 (Minute 65/15 refers) to approve both the action plan to address the backlog in cases and the additional funding for increasing the resources in the team would lead to improvements in performance.

It was then:

RESOLVED

1. That Members note the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and the exception report; and
2. That Members note the data and analysis provided within the 'Deep Dive' report – Planning Performance.

O&S.92/15 ACTIONS ARISING / DECISIONS LOG

At the request of the Chairman, the Panel was presented with a new concept to ensure that actions and decisions generated from previous meetings were tracked.

A number of Members confirmed their support for this practice as a standing agenda item.

O&S.93/15 DRAFT ANNUAL WORK PROGRAMME 2015/16

The Panel considered its draft 2015/16 Work Programme and made particular reference to two updates since the agenda had been published. These updates were as follows:

1. The senior Local Enterprise Partnership (LEP) representative advised that he was unable to attend a Panel meeting on 21 April 2016. In his response, he had also confirmed the difficulties in being able to attend 19 separate Council's within the LEP area. As an alternative, the representative had confirmed his willingness to attend an Overview and Scrutiny sponsored all South Hams and West Devon Member Briefing session in the future; and

2. The South Devon and Torbay Clinical Commissioning Group representatives had confirmed their willingness and availability to attend a Panel meeting on 21 April 2016.

O&S.94/15 EXCLUSION OF PUBLIC AND PRESS

The following resolution was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**:

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 1 of Schedule 12A to the Act is involved.

O&S.95/15 INCOME GENERATION PROPOSALS

An exempt report was considered that set out the income generation initiatives being pursued by officers and sought Member agreement to make a series of recommendations supporting the principles outlined.

From the initial number of questions raised, coupled with the length of the agenda, the overriding view was that the Panel was not able to give this agenda item the level of focus that it deserved and it was therefore **PROPOSED, SECONDED** and when put to the vote declared **CARRIED** that:

RESOLVED

That the income generation proposals agenda item be deferred for consideration to a future Panel meeting that will be arranged to take place on Thursday, 7 April 2016 at 9.00am.

(Meeting started at 9.30 am and concluded at 1.00 pm).

Chairman