

South Hams Council



Title:	Agenda																																													
Date:	Thursday, 27th October, 2016																																													
Time:	10.00 am																																													
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 style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Baldry</td> <td style="width: 33%;">Cllr Holway</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr Hopwood</td> <td></td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr May</td> <td></td> </tr> <tr> <td>Cllr Blackler</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Bramble</td> <td>Cllr Pennington</td> <td></td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pringle</td> <td></td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Rowe</td> <td></td> </tr> <tr> <td>Cllr Cane</td> <td>Cllr Saltern</td> <td></td> </tr> <tr> <td>Cllr Foss</td> <td>Cllr Steer</td> <td></td> </tr> <tr> <td>Cllr Gilbert</td> <td>Cllr Tucker</td> <td></td> </tr> <tr> <td>Cllr Green</td> <td>Cllr Vint</td> <td></td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Ward</td> <td></td> </tr> <tr> <td>Cllr Hicks</td> <td>Cllr Wingate</td> <td></td> </tr> <tr> <td>Cllr Hitchins</td> <td>Cllr Wright</td> <td></td> </tr> <tr> <td>Cllr Hodgson</td> <td></td> <td></td> </tr> </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		
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																																													
Committee administrator:	Member.Services@swdevon.gov.uk																																													

1. 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;

2. 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;

3. 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;

4. Notice of Motion

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

(a) By Cllrs Baldry and Brazil

"This Council notes:

- 1. That the Bus Services Bill currently passing through Parliament includes Clause 21 that will effectively "prohibit a local authority from forming a company for the purposes of providing a local bus service".*
- 2. That the Localism Act (2011) provides general powers of competence to local authorities.*
- 3. The Devon Youth Parliament has transport as one of its top priorities.*
- 4. People in South Hams, especially the rural areas, have seen a serious decline in their bus services.*

This Council believes:

- 1. Clause 21 contradicts the general powers of competence and the spirit of the Localism Act*

- 2011.
2. *If there is a need and a demand from their public, then Councils should be able to provide their own bus services*
 3. *Clause 21 should be omitted from the Bus Services Bill.*

This Council resolves:

1. *To write to Lord Ahmad and to call on the Department for Transport to omit Clause 21 from the final legislation*
2. *To write to Sarah Wollaston and Gary Streeter our MPs to ask them to oppose clause 21 when the Bus Services Bill reaches the House of Commons and ask them to write to Lord Ahmad and the Department of Transport to raise concerns about Clause 21."*

5. Report of the Political Structures Working Group 1 - 14

6. BT Payphone Removal Consultation 15 - 18

7. 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) AUDIT COMMITTEE 19 - 24

22 September 2016

(b) DEVELOPMENT MANAGEMENT COMMITTEE 25 - 36

28 September 2016

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Agenda Item 5

Report to: **Special Council**

Date: **27 October 2016**

Title: **POLITICAL STRUCTURES WORKING GROUP REVIEW**

Portfolio Area: **Strategy & Commissioning**

Wards Affected: **Ermington and Ugborough, Ivybridge (East) and Ivybridge (West)**

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

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision) **Immediately following this meeting**

Author: **Darryl White (on behalf of the Political Structures Working Group)**

Contacts: Cllr.tucker@swdevon.gov.uk and darryl.white@swdevon.gov.uk

RECOMMENDATIONS:

That the Council RESOLVES that:

1. the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) remain within the parish of Ugborough;
- 2(a) the Personnel Panel is not resurrected;
- 2(b) future annual reports on the Pay Policy Statement also include reference to a separate Pay Reward Strategy;
- 2(c) it be re-affirmed that Cllr Saltern is the Member involved in the Employment Appeals process and that this position be included as part of the list of appointments that require the formal approval of Annual Council each year; and

3. **with effect from 19 January 2017, a Joint Meeting of the Overview and Scrutiny Panel and the Development Management Committee be convened each year, with the sole purpose of considering the annual draft budget proposals, with the meeting being chaired by the Chairman of the Overview and Scrutiny Panel.**

1. Executive summary

Community Governance Review

- 1.1 In accordance with the adopted terms of reference (as outlined at appendix A), the Community Governance Review on a proposal to transfer the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish is now at Stage 5 of the process.
- 1.2 In accordance with Stage 5, the Council is now required to consider the final recommendations of the Political Structures Working Group in respect of whether or not a Reorganisation of Community Governance Order should be made.

Personnel Panel

- 1.3 In line with commitments given at previous formal Member meetings, the Political Structures Working Group was also tasked with giving consideration to:
 - re-establishing the Council's Personnel Panel; and
 - the merits of establishing a Remuneration Committee.

Annual Draft Budget Setting Process

- 1.4 When reflecting on the 2016/17 draft budget setting process, some Members felt it to be regrettable that Development Management Committee Members were not given a vote until the final recommendations were presented to the Council for a decision.
- 1.5 The Political Structures Working Group was consequently tasked with reviewing the process in time for the 2017/18 draft budget consultation exercise.

2. Background

Community Governance Review

- 2.1 At its meeting on 12 February 2015, the Council considered a motion that had been submitted by Cllrs Saltern and Holway (Minute 65/14(a) refers);
- 2.2 Following a discussion on this motion, the Council subsequently agreed that a 'Community Governance Review be instigated that has the main purpose of consulting on a proposal to transfer the area to the East of Ivybridge (recently added to create the new SHDC Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish';
- 2.3 The terms of reference were subsequently agreed and published on 2 November 2015;
- 2.4 The Political Structures Working Group considered the initial submissions at its meeting held on 11 May 2016 and proceeded to make the following recommendations to the Annual Council meeting held on 19 May 2016:
 1. *That the main points arising from the initial submissions be noted;*
 2. *That the draft proposal to transfer the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) from Ugborough Parish to the Ivybridge Parish be published for further consultation;*
 3. *That the impact of any future Section 106 contributions should be considered in relation to any boundary change, whilst bearing in mind the Section 122 Community Infrastructure Levy regulations; and*
 4. *That, in the event of any boundary change being approved, the procedure for determining applications made to the Community Re-Investment Fund be amended to ensure that, for relevant applications, the local Ward Member for Ermington and Ugborough also be included as a consultee alongside the local ward Members for Ivybridge (East) and Ivybridge (West).*
- 2.5 These recommendations were subsequently approved by Members at the Annual Council meeting (Minute 17/16 refers);
- 2.6 As part of the consultation process on the draft proposals, and in order to take full account of the views of the affected local residents, officers again contacted all 27 householders affected. In addition, other relevant stakeholders (SHDC local ward Members, Ivybridge Town Council, Ugborough Parish Council and Devon County Council) were again contacted and notification of the Review was also published on the Council website and a press release issued;
- 2.7 Thirteen replies were subsequently received before the deadline of Friday, 9 September 2016, including nine from residents, three from

parish councils and further comment was received from Ivybridge Town Council;

- 2.8 These replies were presented in full and considered by the Political Structures Working Group at its meeting on 4 October 2016.

Personnel Panel

- 2.9 Some Members will recall that, as part of its governance arrangements between 2001 and 2012, the Council had a Personnel Panel. The Personnel Panel was a formally constituted decision-making body of the Council that comprised of five Members.

- 2.10 Following a review by the Political Structures Working Group, the Council decided at its meeting on 9 February 2012 that the Panel should be disbanded (Minute 72/11 refers).

- 2.11 The Council had taken this decision in light of the terms of reference of the Panel resulting in duplication and confusion between the remit and roles of the Panel, the lead Executive Member, the then Chief Executive, the Executive and full Council in relation to HR related matters.

- 2.12 At its meeting on 4 August 2016, the Overview and Scrutiny Panel considered an urgent item entitled: '*Response to Member Concerns about Staff Morale*' (Minute O&S.12/16(a) refers).

- 2.13 In the subsequent discussion, some Members regretted the loss of the Personnel Panel and the following decision was made:

'That consideration be given at the next Political Structures Working Group meeting to the re-establishment of the Council's Personnel Panel.'

- 2.14 Alongside this request, the Head of Paid Service gave an assurance at the Special Council meeting held on 30 June 2016 that, in light of LGA best practice recommending the establishment of a Remuneration Committee, this should also be considered by the Working Group (Minute 26/16 refers).

Annual Draft Budget Setting Process

- 2.15 At the Annual Council meeting held on 19 May 2016, Cllr Baldry submitted the following question to Cllr Tucker (minute 15/16(a) refers):

'For the 2016/17 Overview and Scrutiny Panel Budget meeting, will the Constitution of the Council be changed in order that all Members may play a part, including full voting?'

- 2.16 As part of his response, Cllr Tucker gave a commitment that this perceived democratic deficit would be re-considered by the Political

Structures Working Group in time for the 2017/18 draft budget setting process.

3. Political Structures Working Group Deliberations

3.1 The Working Group meeting was attended by seven of its eight Members (Cllrs Baldry, Hitchins, Holway, Pennington, Saltern, Tucker and Ward). Furthermore, Cllrs Cuthbert, May and Pringle were also in attendance in a non-voting capacity. The meeting was supported by Legal and Democratic Services Senior Specialists and the HR Community Of Practice Lead;

Community Governance Review

3.2 Prior to consideration of the Working Group’s final recommendations on the Review, Cllr Saltern declared an interest and left the meeting during the discussion on this matter;

3.3 To aid its deliberations, a discussion paper was considered by the Working Group that summarised the main arguments that had been made in support (4 responses, including from Ivybridge Town Council) and in opposition to the proposal. These are repeated in the table below:

In Support	In Opposition
<ul style="list-style-type: none"> • There is recognition nationally that many parish boundaries no longer suit the way in which communities have evolved and expanded; • The forthcoming Parliamentary Boundary Review taking place in September 2016 could result in Ugborough and Ivybridge being in different Parliamentary Constituencies, impacting upon the residents in the affected area; • Up to 800 new homes will be added to the area east of Ivybridge by 2034 to achieve the required level of development in town settlements, this would virtually double the size of Ugborough if the area under review is not transferred; • The area in question has been included in the Ivybridge Neighbourhood Plan area expecting that in due course it would form part of the Ivybridge parish area hence 	<ul style="list-style-type: none"> • The Parish Council would not wish Ivybridge to extend in an easterly direction, particularly as the development has not been in accordance with the Local Plan; • The Eastern extension of Ivybridge into Ugborough parish will not contribute but will detract from the social, economic and environmental quality of the town with almost no consideration for infrastructure requirements and quality of life; • The transfer could set a precedent that could be seen to suggest that any development close to, but not part of, and existing town/city should result in that area of land being transferred to the nearby town/city; • To be able to maintain its rural character, Ugborough needs to maintain a significant level of control. To achieve this the Parish Council should be discrete and a clear and significant rural

<p>needing to be considered as part of the overall proposals for the town;</p> <ul style="list-style-type: none"> • There was no indication of objection when the County and District Ward Boundaries were adjusted by the Local Government Boundary Commission for England; • The proposed building of housing, retail/commercial units and a Health Centre would bring employment opportunities, a better quality of life and more convenient access to local amenities; • It would remove the anomaly of the Rugby Club, Stations and an Ivybridge College pitch being located within Ugborough parish. 	<p>buffer one should be maintained between Ivybridge and Ugborough. Without these, creeping erosion of Ugborough village is inevitable;</p> <ul style="list-style-type: none"> • Ivybridge has been allowed to grow into a dormitory town as the rapid expansion of estates was not supported by a sufficient increase in local facilities. The lack of suitable shops, opening hours and inadequate public transport have created a commuter land of outward facing people whose needs cannot be met by the services available in Ivybridge; • The new proposal will mean an even greater increase in vehicle and pedestrian traffic where existing routes are not coping with current levels; • North Filham has much more in common with and links both historical and current to Ugborough, not Ivybridge and this is how it should stay; • If the proposed change in boundary means an increase in Council Tax we would like a clear outline of the extended services we will benefit from to those that we currently receive at the lower rate; • A greater concern to us is the name that is proposed for the new boundary area 'Ivybridge East' and the lack of understanding that this demonstrates in relation to the significance of a name and all it encompasses in terms of identity; • The parish of Ugborough should remain unchanged.
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3.4 In its discussions, the Working Group made reference to (and subsequently noted) the contents of all of the representations that had been submitted. In particular, the Group recognised the relevance and importance of the views and comments that had been submitted by Ivybridge Town Council and local residents;

3.5 However, in making its final recommendations, the Working Group was more heavily swayed by the views expressed by Ugborough Parish

Council and those most affected residents who lived in Filham and who had expressed their concerns/opposition over the draft proposals;

- 3.6 A recommendation was therefore proposed and seconded by the Working Group whereby the area to the East of Ivybridge (recently added to create the new Ivybridge East Ward) should remain within the parish of Ugborough for the following reasons:
- The strength and depth of the views expressed during the second round of consultation by residents of Filham against the proposed boundary changes;
 - The collective view of Ugborough Parish Council against the proposals;
 - The strong identification of the Filham residents expressed in the consultation about the preferred rural characteristics of their current Parish identity; and
 - That maintaining the status quo was the right decision for community cohesion, as the overwhelming majority of views expressed in the second round of consultation were either against or had significant concerns about the proposed boundary changes.
- 3.7 When put to the vote, this recommendation was unanimously declared carried and the Council is now asked to make a final decision on the Review.

Personnel Panel

- 3.8 At the Working Group meeting, a Member made reference to the governance arrangements currently in place at Devon County Council. Since that authority had both a Personnel Panel and an Appointments and Remuneration Committee, he felt this to be good practice and therefore proposed that this model of governance be replicated by the Council. This proposal was not seconded.
- 3.9 Some Members advised that a major stumbling block behind any proposal to re-establish the Personnel Panel (or to establish a Remuneration Committee) was that all members of staff were now shared officers between the Council and West Devon Borough Council. Since a number of staff members were therefore technically not employed by the Council, this brought into question what the purpose and benefit would be of reinstating a Personnel Panel or establishing a Remuneration Committee.
- 3.10 With regard to remuneration, the Working Group acknowledged that, in line with statutory requirements arising from the Localism Act 2011, the Pay Policy Statement is presented to full Council for approval each year. The Pay Policy Statement sets out the Council's policies for the financial year relating to the remuneration of its median and lowest paid employees and the relationship between the salaries of those employees and the salary of the Head of Paid Service.

3.11 As a part of the annual Pay Policy Statement, Members felt that it would be beneficial to include a separate section focusing on the Council's Pay Reward Strategy. In particular, it was suggested that this Strategy should include reference to elements including:-

- national bargaining for pay and conditions;
- the Council's local pay and grading structure;
- the relationship with performance management;
- the application of merit payments, honorariums, 'acting up' allowances and market supplements; and
- the Council's Job Evaluation tool.

3.12 Although it had not been applied in recent years, the Working Group was informed that officers were still working on the understanding that Cllr Saltern was involved in the event of an Employment Appeal being deemed necessary. The Working Group was supportive of this arrangement and felt that it should be formalised and brought in line with the Annual Council appointments process.

3.13 The following recommendation was then proposed and seconded and when put to the vote was declared carried by six votes in favour, with one abstention that:

- the Personnel Panel is not resurrected;
- future annual reports on the Pay Policy Statement also include reference to a separate Pay Reward Strategy; and
- it be re-affirmed that Cllr Saltern is the Member involved in the Employment Appeals process and that this position be included as part of the list of appointments that require Annual Council approval;

Annual Draft Budget Setting Process

3.14 The Working Group had sympathy with the view that Development Management Committee Members had been disengaged with the budget setting process last year;

3.15 As a way forward to ensure that all non-Executive Members had a vote during the draft budget setting process each year, the following recommendation was therefore proposed and seconded:

That, with effect from 19 January 2017, a Joint Meeting of the Overview and Scrutiny Panel and the Development Management Committee be convened each year, with the sole purpose of considering the annual draft budget proposals, with the meeting being chaired by the Chairman of the Overview and Scrutiny Panel.

3.16 When put to the vote, this recommendation was unanimously declared carried.

4. Implications

Legal/Governance		<p>Community Governance Review The Local Government and Public Involvement in Health Act 2007 requires the Council to ‘consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria (as below):</p> <p>‘That Community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.’</p> <p>Personnel Panel The Localism Act 2011 requires the Council to consider (and approve) each year the Senior Pay Policy Statement.</p> <p>Constitutionally, it is a requirement for some HR policies to be approved by full Council, whereas other internal policies require the approval of the Executive.</p> <p>Annual Draft Budget Setting Process If this recommendation is approved by the Council, the Constitution will be updated to ensure that Development Management Committee Members have a vote in the draft budget setting process for 2017/18.</p>
Financial		There are no additional financial implications directly related to this report
Risk		<p>Community Governance Review The Review is adhering to its approved timetable and, assuming that a final decision is taken at this meeting (i.e. within the statutory requirement of twelve months within the commencement of the Review), then there are no further risk implications directly related to this report.</p> <p>Personnel Panel The recommendations will prevent the risk of duplication and will avoid a Panel attempting to have an input into matters that affect members of staff who are employed by West Devon Borough Council.</p> <p>Annual Draft Budget Setting Process The risk of Development Management Committee Members feeling disengaged in the budget setting</p>

		process will be mitigated by the recommendation being approved.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no equality and diversity implications directly related to this report.
Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

Supporting Information

Appendices:

A. Community Governance Review – Terms of Reference

Background Papers:

Community Governance Review:

Discussion Papers presented to the Political Structures Working Group meeting on 11 May 2016 and 4 October 2016;
Annual Council agenda and minutes – 19 May 2016;
Initial Submissions received during the first round of consultation;
Further Submissions received during the second round of consultation; and
DCLG Guidance on Community Governance Reviews.

Personnel Panel:

Report presented and minutes arising from the Council meeting held on 9 February 2012;
Discussion paper presented to the Political Structures Working Group meeting on 4 October 2016; and
The LGA document entitled: 'Strengthening the Strategic Approach to Pay and Rewards.'

Annual Draft Budget Setting Process

Council Constitution; and
Annual Council minutes – 19 May 2016.

South Hams District Council

Community Governance Review – Terms of Reference

At its meeting on 12 February 2015, South Hams District Council resolved to instigate a Community Governance Review. The District Council will be guided by the relevant legislation and guidance, in particular the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews (published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission for England).

What is a Community Governance Review?

A Community Governance Review provides the opportunity for 'principal councils' (district councils and unitary councils) to review and make changes to community governance within their areas. Such a Review can be helpful in circumstances such as where there have been changes in population, or in reaction to specific or local new issues.

In so doing, a Community Governance Review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features and remove the many anomalous parish boundaries that exist in England.

Why is the District Council undertaking the Review?

In light of the Council decision made on 12 February 2015, the main purpose of this Review will be to consult on a proposal to transfer the area to the East of Ivybridge, recently added to create the new SHDC Ivybridge East Ward, from Ugborough Parish to the Ivybridge Parish.

The government has emphasised that recommendations made in a Review ought to bring about '*improved community engagement, more cohesive communities, better local democracy and result in a more effective and convenient delivery of local services.*'

As the principal authority, South Hams District Council is responsible for undertaking any such Review within its electoral area. The body responsible for overseeing this process is the Full Council, who will be responsible for producing draft and final recommendations. The Council will approve the final recommendations before a Community Governance Order is made.

How will the District Council conduct consultations during this Review?

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local residents. The District Council will comply with the statutory consultative requirements by:-

- Consulting local government electors for the area under review;
- Consulting any other person or body (including a local authority) which appears to the District Council to have an interest in the review;
- Notifying and consulting Devon County Council; and
- Taking into account any representations received in connection with the review.

Information relating to the review will be available on the Council website (www.southhams.gov.uk) and key documents will be available on request from the District Council offices at: Follaton House, Plymouth Road, Totnes TQ9 5NE.

The District Council will publish its recommendations as soon as practicable and will take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them. The District Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

What will be the timetable for this Review?

It is a statutory requirement whereby a review must be concluded within a twelve month period from the day on which it commences. A review starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes its final recommendations.

Outlined below is the proposed timetable for the review:-

Stage 1	Publication of the Terms of Reference for the Review	Monday, 2 November 2015
Stage 2	Introductory Stage: Submissions are invited. The District Council invites proposals from stakeholders on future arrangements in accordance with the Terms of Reference.	Monday, 2 November 2015 – Wednesday, 24 February 2016
Stage 3	Consideration of Initial Submissions: Draft proposals to be considered by the Political Structures Working Group before recommendations are made to the Annual Council meeting on 19 May 2016.	Thursday, 25 February – Thursday, 19 May 2016

<p>Stage 4</p>	<p>Consultation on Published Draft Proposals: In publishing the draft proposals, the District Council will notify stakeholders and invite further comments and/or recommendations.</p>	<p>Monday, 23 May – Friday, 9 September</p>
<p>Stage 5</p>	<p>Final Recommendations Consideration of consultation responses and production of final recommendations to be presented to the Political Structures Working Group in the first instance and on to the Council meeting in the Autumn for a final decision.</p>	<p>Monday, 12 September – Council Meeting in Autumn 2016 (date to be confirmed)</p>
<p>Stage 6</p>	<p>Implementation Final recommendations are then published and the Council resolves (if appropriate) to make a Reorganisation of Community Governance Order.</p> <p>For administrative and financial purposes, the Order should take effect on 1 April 2017.</p> <p>Electoral arrangements for an existing town and/or parish council will come into force at the first elections to the town and/or parish council following (any) Reorganisation Order, which will be May 2019.</p>	<p>Council Meeting in Autumn 2016 (date to be confirmed)</p> <p>1 April 2017</p> <p>May 2019</p>

The review will be formally completed when the Council adopts and publishes the Reorganisation of Community Governance Order and requests that the Electoral Commission approve any consequential changes.

How to contact us

Should you wish to submit a written representation regarding this review, please address this to:

Community Governance Review
Member Services
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Alternatively, your submission may be emailed to:
member.services@southhams.gov.uk

Date of publication

Monday, 2 November 2015.

Report to: **Special Council**
Date: **27 October 2016**
Title: **BT PAYPHONE REMOVAL CONSULTATION**
Portfolio Area: **Customer First**

Wards Affected: **All**

Relevant Scrutiny Committee: **N/A**

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

Date next steps can be taken: Immediately

Author: **Nadine Trout** Role: **Locality Manager**

Contact: Nadine.Trout@swdevon.gov.uk

RECOMMENDATIONS

- 1. The District Council does not adopt any of the affected payphones, leaving the adoption to local communities if they so wish.**
- 2. The draft and final decision for each payphone is delegated to the Chief Planning Officer, who will consider community feedback in consultation with relevant Ward Members.**

1. Executive summary

- 1.1** British Telecom (BT) proposes to remove 58 public payphones in the South Hams District and in line with Ofcom guidelines has asked the District Council to initiate a consultation to canvas the views of the local community.
- 1.2** The Localities team is facilitating the consultation process. To kick start the process the Localities team has written to each affected town/parish council to establish whether they would like to accept or reject BT's proposal for removal; or adopt their local heritage payphone and use it for alternative means.

1.3 In keeping with BT's timeframe and Ofcom guidelines the District Council is required to publish a draft decision for each payphone in early November. The Council must then allow one month for feedback from local communities before publishing a final decision. The Council must keep the Secretary of State and BT informed throughout the decision process.

2. Background

2.1 The Official start of the BT consultation period started from the 8th - 15th September when public notices were posted by BT in each of the affected payphones. The notices advised the public to contact their local authority planning department with any comments.

2.2 BT wrote to the Chief Planning Officer on the 26th September stating the need for a consultation. The consultation request was handed to the Localities team on the 30th September. After carefully reading the relevant consultation and Ofcom guidance the Localities team sent individual emails to all affected towns and parishes on the 6th October explaining the consultation process and copied Ward Members in.

2.3 Ofcom guidelines state the District Council's role is to make a draft decision on each payphone; to publicise each decision and allow one month for feedback. The District Council is then tasked with assessing the feedback and making a final decision for each payphone which it will share with the Secretary of State and BT.

2.4 Responses to the 6th October email sent to towns and parishes will help inform the District Council's draft decision.

3. Next Steps

3.1 The Localities team will keep a tally of all town/parish council responses to help inform the draft decision. Once a draft decision is established the following will take place:

- a) An email will be sent to all Town and Parish Councils advising of the draft decision
- b) A mobile locality officer will affix a draft decision notice to the outside of each affected payphone.
- c) Each notice will provide a web address and clear instructions on how the public can engage in the consultation process
- d) A page will go live on the Council website inviting the public to have their say

3.2 After one month the locality team will collate all responses ready for the Chief Planning Officer to objectively make a final decision in consultation with relevant Ward Members. Final decision notices will then be affixed to each affected payphone and town and parish councils emailed with the outcome.

3.3 Finally the District Council will contact the Secretary of State and BT with the final decision and will provide BT with contact details for communities wishing to adopt kiosks. BT will then follow up with communities direct to make necessary arrangements.

4. Options available and consideration of risk

4.1 The Council potentially has three options for conducting this consultation. Risks associated with each are detailed in the table below:

Option	Risk
1. Deliver as outlined in section 3 above	Low risk – compliant with Ofcom Guidance.
2. Table another committee meeting to make a final decision.	High risk – this would delay the decision making timeframe and would not be Ofcom compliant.
3. Not conduct the consultation	High Risk – this would not be Ofcom compliant.

4.2 The options have been developed based on Ofcom Guidance, the Communication Act 2003 and discussions with Senior Leadership Team.

4.3 It is recommended Option 1 is pursued.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Ofcom Guidance 2005 and Communication Act 2003
Financial	N	There are no direct financial implications of the contents of the report.
Risk	Y	As outlined in section 4.0 of the report
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	Ensure all members of the public have an equal opportunity to respond to this consultation by allowing a reasonable timeframe to respond, providing sufficient information to form an opinion and publicising the proposed service change in a variety of means.
Safeguarding	Y	Ensure phone usage figures are taken into consideration before decision to remove phone is taken.

Community Safety, Crime and Disorder	Y	Ensure phone usage figures are taken into consideration before decision to remove phone is taken.
Health, Safety and Wellbeing	Y	Ensure phone usage figures are taken into consideration before decision to remove phone is taken.
Other implications	N	

**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 22 SEPTEMBER 2016**

Members in attendance * Denotes attendance ∅ Denotes apology for absence			
*	Cllr I Bramble	*	Cllr J T Pennington (Vice-Chairman)
∅	Cllr J Brazil	*	Cllr K R H Wingate (Chairman)
*	Cllr J A Pearce		

Members also in attendance:
Cllrs H D Bastone, J P Green, M J Hicks, T R Holway, L A H Ward and S A E Wright

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Executive Director (Service Delivery and Commercial Development); Group Manager – Business Development; Section 151 Officer, Specialist (Accountant Business Partner) and Senior Specialist – Democratic Services
5	A.18/16	KPMG Director and KPMG Manager

A.16/16 MINUTES

The minutes of the meeting held on 28 July 2016 were confirmed as a correct record and signed by the Chairman.

A.17/16 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 none were made.

A.18/16 REPORT OF KPMG – EXTERNAL AUDIT REPORT 2015/16

In presenting the report, the KPMG representatives informed that the headline messages were both positive. Firstly, the organisation had issued an unqualified audit opinion on the Council's financial statements following approval of the Statement of Accounts.

Secondly, it was noted that KPMG was intending to issue a value for money assessment that concluded that the Council had made proper arrangements to ensure that it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local residents.

In the subsequent discussion, particular reference was made to:-

- (a) the value for money risk relating to the delivery of the Transformation Programme. Having undertaken an assessment of the Transformation Programme, the KPMG representatives confirmed their conclusions whereby the Council had sound arrangements in place to meet its budget gap;
- (b) the forecasted budget surplus for 2016/17. Whilst accepting that the report sought acknowledgement of the budget position in 2015/16, some Members made reference to the Council decision to increase resources in planning enforcement being taken during that year (minute 65/15 refers) and concluded that the report was somewhat selective in certain areas.

In response, the KPMG representatives informed that the organisation would not take a view on such political decisions and there was a recognition that, on occasion, there would be a need for flexibility in Council budgets;

- (c) the positive nature of the report. The KPMG representatives emphasised that the report was a good news story for the Council and presented the authority with a clean bill of health. In acknowledging this view, the Committee wished to put on record its gratitude for the work undertaken by the Section 151 Officer and the rest of the Finance Community Of Practice in these challenging times;

It was then:

RESOLVED

That the External Audit Report 2015/16 be noted.

A.19/16 ANNUAL STATEMENT OF ACCOUNTS 2015/16

Consideration was given to a report that presented a summary of net revenue and capital expenditure. Furthermore, the report also sought approval of the audited Statement of Accounts for 2015/16.

In introducing the report, the lead Executive Member for Support Services wished to pay tribute to the Specialist (Accountant Business Partner) for her hard work in producing the annual Statement of Accounts.

In discussion, reference was made to:-

- (a) the reduction in projected income generated from letting space at Follaton House. In response to a request, officers agreed to find out how much letting space remained for potential tenants to move in to Follaton House;
- (b) pension liability. Officers advised that the triennial pension valuation

results would be known before the end of the year. As a provision, the Council had set aside an additional £150,000 to offset any consequent impact;

- (c) the planning enforcement backlog of cases. When questioned, officers confirmed that the additional resources in planning enforcement were having a noticeable impact and the function was on track to eliminate the backlog before the end of the year;
- (d) the variations in capital grants from the Environment Agency (EA). The Committee was advised that the EA had granted considerably more money in 2014/15 than in 2015/16, as a consequence of there being far more instances of flooding during 2014/15;

(NOTE: during discussion point (e) below, the Section 151 Officer left the meeting room).

- (e) the Section 151 Officer not being a member of the Council's Senior Leadership Team (SLT). A Member reiterated his previously raised view whereby the Section 151 Officer should be a member of SLT. In response, it was noted that this matter had been debated and discussed with the Council's External Auditors prior to this operational decision being taken and the arrangements were deemed acceptable at that time. In light of the Member continuing to express his concerns, it was agreed that he should discuss this issue further with the Leader and Chairman of Council outside of this meeting. As a general point, those Members in attendance wished to put on record their gratitude for the work undertaken by the Section 151 Officer, who it was felt did a fantastic job and was respected by all Members of the Council;
- (f) the remuneration paid to the Authority's senior employees. When questioned, officers advised that only those senior employees that were actually employed by the Council were listed in the presented table. Since some senior employees were employed by West Devon Borough Council, these were not illustrated in the table at Section 3 of the presented accounts, but were instead referred to in a note to the Table.

It was then:

RESOLVED

1. That the wording of the Letter of Representation (as outlined at Appendix A of the presented agenda report) be approved; and
2. That the audited Statement of Accounts for the financial year ended 31 March 2016 (as outlined at Appendix B of the presented agenda report) be approved.

A.20/16

STRATEGIC RISK ASSESSMENT – REGULAR UPDATE

The Committee considered a report that presented an updated assessment of the Council's strategic risks.

In discussion, reference was made to:-

- (a) the risks associated with the Local Authority Controlled Company (LACC). A Member was of the view that there were far too many identified risks that were associated with the LACC and he therefore **PROPOSED** the following:

'That the Committee does not support the setting up of a LACC by the Council.'

In discussion, some Members expressed a great deal of sympathy with the proposal, but did also recognise that the Council had appointed a Joint Steering Group (JSG), which would be working its way through the risk register. Furthermore, assurances were given that in the event of the JSG concluding that any of the 'red lines' (issues relating to pensions, taxation and governance) were unresolvable, then the project work would be stopped immediately. The overriding view amongst the Committee was that the proposal was somewhat pre-emptive and the JSG should be allowed to complete its review. Therefore, the proposal was not seconded.

However, some Members did reiterate their sympathy with the proposal and an alternative was **PROPOSED** and **SECONDED** as follows:

- '1. That, at the moment, the Committee does not support the setting up of a LACC by the Council;*
- 2. That all Members be sent copies of the published report and the supporting appendices that underpin this agenda item. In addition, that all Members be sent a copy of the full (exempt) version of the Zurich Municipal LACC Risk Diagnostic report;*
- 3. That a progress update on the risk related work undertaken to date by the JSG be distributed to all Members; and*
- 4. That, as part of ongoing Member Briefings on the LACC, a specific session relating to the LACC risk register be scheduled.*

When put to the vote, these proposals were declared **CARRIED**.

- (b) the scores aligned to the risk report. Whilst the view was expressed that some of the ratings related to the LACC were questionable, it was agreed that the score aligned to the 'encouraging communities to thrive' risk was too high and should be reduced.

It was then:

RESOLVED

1. That the Committee has reviewed the strategic risk assessment;
2. That, at the moment, the Committee does not support the setting up of a LACC by the Council;
3. That all Members be sent copies of the published report and the supporting appendices that underpin this agenda item. In addition, that all Members be sent a copy of the full (exempt) version of the Zurich Municipal LACC Risk Diagnostic report;
4. That a progress update on the risk related work undertaken to date by the JSG be distributed to all Members;
5. That, as part of ongoing Member Briefings on the LACC, a specific session relating to the LACC risk register be scheduled; and
6. That the score aligned to the 'encouraging communities to thrive' risk is too high and should be reduced.

A.21/16

UPDATE ON PROGRESS ON THE 2016/17 INTERNAL AUDIT PLAN

A report was considered that informed Members of the principal activities and findings of the Council's Internal Audit team for 2016/17 to 25 August 2016 by:

- showing the progress made by Internal Audit against the 2016/17 annual internal audit plan, as approved by the Committee on 24 March 2016 (Minute A.38/15 refers); and
- highlighting revisions to the 2016/17 internal audit plan.

Having been advised of the impact on the Plan that had been caused by an incident of staff sickness in the Internal Audit Team, the Committee requested that its wishes for a speedy recovery be passed on to the affected individual.

It was then:

RESOLVED

That the progress made against the 2016/17 internal audit plan, and any key issues arising, be noted.

A.22/16 **INTERNAL AUDIT CHARTER AND STRATEGY 2016/17**

The Committee considered a report that allowed Members to review and comment upon the Internal Audit Charter and Strategy for 2016/17.

During discussion, Members felt that, in the future, it would be helpful for the revisions and amendments that were being recommended to be highlighted.

It was then:

RESOLVED

That the Committee has reviewed and approved the Internal Audit Charter and Strategy 2016/17.

(Meeting commenced at 2.00 pm and finished at 3.10 pm)

Chairman

MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 28 SEPTEMBER 2016

Members in attendance			
* Denotes attendance			
∅ Denotes apology for absence			
*	Cllr I Bramble	*	Cllr J M Hodgson
*	Cllr J Brazil	*	Cllr T R Holway
*	Cllr B F Cane	*	Cllr J A Pearce
*	Cllr P K Cuthbert	*	Cllr R Rowe
*	Cllr R J Foss (Vice Chairman)	*	Cllr R C Steer (Chairman)
∅	Cllr P W Hitchins	*	Cllr R J Vint

Other Members in attendance:

Cllrs Pennington, Smerdon, Tucker and Wright

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		COP Lead Development Management, Planning Specialists, Solicitor and Senior Case Manager Strategy and Commissioning

DM.27/16 MINUTES

The minutes of the meeting of the Committee held on 7 September 2016 were confirmed as a correct record and signed by the Chairman.

DM.28/16 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr Vint declared a personal interest in application **1618/16/VAR**: Variation of condition no. 2, 3 and 4 of planning consent 51/0207/02/F to allow for a minor material amendment to plot 1 – Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming, by virtue of knowing the registered supporter. He remained in the meeting for the duration of this item and took part in the debate and vote thereon;

Cllrs Cane and Foss declared a personal interest in applications **1570/16/FUL – 1573/16/FUL & 1575/16/FUL – 1577/16/FUL**: Erection of agricultural livestock buildings – Woolston Farm, Land to Woolston Farm, Loddiswell, by virtue of knowing the agent and. They remained in the meeting for the duration of the items and took part in the debate and vote thereon.

DM.29/16 PUBLIC PARTICIPATION

The Chairman announced that a list of members of the public who had registered their wish to speak at the meeting had been circulated.

DM.30/16 PLANNING APPLICATIONS

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

0816/16/HHO The Grange, Cliff Road, Salcombe

Parish: Salcombe

Householder application for proposed replacement summerhouse set within main private upper garden, single storey garden outbuilding set against stone retain wall backdrop

Case Officer Update: N/A

Speakers included: Local Ward Members – Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time
2. Accord with Plans
3. Use incidental to enjoyment of dwelling
4. Joinery, eaves, brise-soleil details prior to installation
5. Materials samples prior to installation
6. Revised landscape plan

2826/15/FUL Tides Reach Hotel, Cliff Road, Salcombe

Parish: Salcombe

Refurbishment and extension of existing hotel including erection of new bedroom wing to form a 44 bedroom, 4* hotel and part change of use of existing upper floors of existing hotel to create 10 apartments with associated car parking

Case Officer Update:

- 11 new letters of support and 3 of objection, including commissioned drainage and flood survey, the conclusion of which was read out to Members
- Environment Agency and Devon County Council confirmed no objections to the proposal subject to conditions
- Devon County Council revised wording of suggested condition 8, which was read out to Members
- Conditions 6 and 24 revised following discussion with the Applicant
- Correction of errors in officer report referring to approximate number of objections
- Planning obligation confirmed as £400,000
- National Trust response read out to Members due to omission in the Committee Report

Speakers included: Objector – Ms Hanna Virta: Supporter – Mr Dave Jobbins: Local Ward Members – Cllrs Pearce and Wright

Recommendation: The Development Management Committee delegates authority to the CoP Lead Development Management in consultation with the Chairman and Vice-Chairman of the Development Management Committee to approve subject to the conditions below and the prior satisfactory completion of a Section 106 Agreement.

Committee Decision: The Development Management Committee delegates authority to the CoP Lead Development Management in consultation with the Chairman and Vice-Chairman of the Development Management Committee to approve subject to the conditions below and the prior satisfactory completion of a Section 106 Agreement.

Conditions:

1. Time, commencement within 1 year
2. Accord with Plans and Supporting Information
3. Floor Levels
4. Construction Environment Management Plan (including details of all permits, contingency plans and mitigation measures for the control of pollution, biodiversity and manage production of wastes) – submission prior to commencement of works
5. Flood Compensation Area – submission of details prior to commencement of works
6. Spa area restricted to spa or other uses associated with the hotel with the exception of sleeping accommodation
7. Flood resilient construction
8. Permanent surface water drainage strategy submitted to and approved in writing by the Local Planning Authority in consultation with Devon County Council as the Lead Local Floor Authority, prior to commencement
9. Adoption and maintenance arrangements – surface water
10. Design of Lower Terrace & Upper Terrace Wave Defence – details to be submitted prior to commencement of works
11. Landscape and Ecological Management Plan (detail and implementation) - submission prior to commencement of works

12. Landscape scheme incorporating flood mitigation
13. Travel Plan Strategy
14. Construction Management Plan (Highways) – submission prior to commencement of works
15. Specification of external finishing materials of building and hard landscaping (including details of parking surface no dig surfaces)
16. Implementation of Parking/Visibility Splays - prior to use of the hotel/apartments
17. Lighting Scheme (reflecting requirements for avoiding impact on habitats used by bats)
18. Fume Extraction
19. Noise Levels & Mitigation for All Plant
20. Details External Appearance for Refuse Storage
21. Unsuspected Contamination
22. Control over Piling/Foundation Designs
23. Programme of Archaeological Work
24. Prior to commencement of development, full details of a phasing plan for the implementation of the mixed use development shall have been first submitted to and agreed in writing by the LPA
25. Scheme for protection and retention of trees
26. Adherence to mitigation measures detailed within section 4 of the EclA.
27. Confirmation of granting of licence prior to commencement

Section 106 Obligations:

- A financial contribution of £400,000 disaggregated as:
 - o £ 7,074 in education contributions (including projected legal costs);
 - o £ 392,926 towards Affordable Housing
- Provision of 5 pay and display parking spaces on site for use by the public within the hotel car park which are available for public use for a fee commensurate with public car parking rates within administrative district of the Council

1618/16/VAR Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming

Parish: Stoke Fleming

Variation of condition no. 2, 3 and 4 of planning consent 51/0207/02/F to allow for a minor material amendment to plot 1

Case Officer Update: Councillors were shown new plan showing vehicle turning/parking provision and comparison in measurements between approved bungalow and proposed dwelling

Speakers included: Local Ward Member (statement read on behalf of)
– Cllr Michael Hicks

Recommendation: Conditional Approval

Committee Decision: Refusal

Reasons: The development by virtue of its size, scale and layout results in an unneighbourly development which is out of keeping. It is contrary to Policies DP1, CS7, the Local Plan and guidance within the NPPF.

1570/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural livestock building (no.1)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Drainage details within 3 months of approval
4. Landscape scheme to be submitted within 3 months of approval
5. Landscape management and delivery plan to be submitted within 3 months of approval
6. Landscape inspection by LPA within 1 year
7. Agricultural use only
8. Removal of Class Q Permitted Development Rights
9. Wheel-washing requirement

1571/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural livestock building (no.2)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Drainage details within 3 months of approval
4. Landscape scheme to be submitted within 3 months of approval
5. Landscape management and delivery plan to be submitted within 3 months of approval
6. Landscape inspection by LPA within 1 year
7. Agricultural use only
8. Removal of Class Q Permitted Development Rights
9. Wheel-washing requirement

1572/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural livestock building (no.3)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Drainage details within 3 months of approval
4. Landscape scheme to be submitted within 3 months of approval
5. Landscape management and delivery plan to be submitted within 3 months of approval
6. Landscape inspection by LPA within 1 year
7. Agricultural use only
8. Removal of Class Q Permitted Development Rights
9. Wheel-washing requirement

1573/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural livestock building (no.4)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Drainage details within 3 months of approval
3. Landscape scheme to be submitted within 3 months of approval
4. Landscape management and delivery plan to be submitted within 3 months of approval
5. Landscape inspection by LPA within 1 year
6. Agricultural use only
7. Removal of Class Q Permitted Development Rights
8. Wheel-washing requirement

1575/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural livestock building (no.5)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Drainage details within 3 months of approval
3. Landscape scheme to be submitted within 3 months of approval
4. Landscape management and delivery plan to be submitted within 3 months of approval
5. Landscape inspection by LPA within 1 year
6. Agricultural use only
7. Removal of Class Q Permitted Development Rights
8. Wheel-washing requirement

1576/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural building – general purpose silage clamp (no.6)

Officer's Update:

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Drainage details within 3 months of approval
3. Landscape scheme to be submitted within 3 months of approval
4. Landscape management and delivery plan to be submitted within 3 months of approval
5. Landscape inspection by LPA within 1 year
6. Agricultural use only
7. Silage liquor
8. Wheel-washing requirement

1577/16/FUL

Woolston Farm, Loddiswell

Parish: Loddiswell

Erection of agricultural building – general purpose silage clamp (no.7)

Officer's Update: N/A

Speakers included: Supporter – Mrs Amanda Burden: Local Ward Member
– Cllr Ian Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Drainage details within 3 months of approval
3. Landscape scheme to be submitted within 3 months of approval
4. Landscape management and delivery plan to be submitted within 3 months of approval
5. Landscape inspection by LPA within 1 year
6. Agricultural use only
7. Silage liquor
8. Wheel-washing requirement

1953/16/HHO

**Coombe Cottage, Bridge Road,
Kingswear**

Parish: Kingswear

Householder application for rear extension

Case Officer Update: One late objection received but no new issues raised

Speakers included: Supporter – Mr Peter Frampton: Parish
Council Representative – Cllr Hector Newcombe: Local Ward

Members – Cllr Rowe (on behalf of all Members)

Recommendation: Refusal

Committee Decision: Refusal

1251/16/FUL Marldon Christmas Tree Farm, Marldon

Parish: Marldon

Use of land for 4no. holiday lodges and retention of shepherd hut with associated parking and patio areas

Case Officer Update: N/A

Speakers included: Objector – Mr John Armstrong: Supporter – Mr Mick Roberts: Local Ward Member – Cllr T Pennington

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development hereby approved shall in all respects accord strictly with drawing numbers Site Plan, MGR/16/0191E/08, MGR/16/0191E/05, MGR/16/0191E/04 and MGR/16/0191E/07 received by the Local Planning Authority on 10 June 2016.
3. The chalets and shepherd hut hereby permitted shall be used solely for holiday accommodation only and shall not be occupied as any person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names and main home addresses of all owners/occupiers of the holiday unit, and shall make this information available at all reasonable times to the Local Planning Authority.
4. Prior to its installation full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority.
5. Users of the holiday chalets and shepherd hut hereby approved shall only use the existing site access from the Totnes Road for vehicular access to the site and no other access.
6. **PRIOR TO COMMENCEMENT** Prior to the commencement of the development, details of the surface water design including percolation test results and supporting calculations shall be submitted to and approved in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development is first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter

1957/16/FUL **Borough Park, Borough Park Road,
Totnes**

Parish: Totnes

Additional ball stop fence to top of existing fence between existing multi use games area and existing tennis court

Case Officer Update: N/A

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard Time Limit
2. Accord with plans.

DM.31/16 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report and the COP Lead Development Management responded to questions and provided more detail where requested.

(Meeting commenced at 10.30 am and concluded at 4.40 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 28 September 2016

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0816/16/HHO	The Grange, Cliff Road, Salcombe	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Bramble, Pearce, Rowe, Vint, Cane (9)	None	Cllrs Cuthbert and Hodgson by virtue of not being present for the presentation (2)	Cllr Hitchins (1)
2826/15/FUL	Tides Reach Hotel, Cliff Road, Salcombe	Conditional Approval	Cllrs Pearce, Cane, Steer, Holway, Foss and Rowe (6)	Cllrs Brazil, Cuthbert, Vint, Hodgson, Bramble (5)	None	Cllr Hitchins (1)
1518/16/VAR	Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming	Refusal	Cllrs Bramble, Brazil, Holway, Rowe, Foss, Pearce (6)	Cllrs Cane, Vint, Steer (3)	Cllrs Cuthbert and Hodgson by virtue of not being present for the presentation (2)	Cllr Hitchins (1)
1570/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1571/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1572/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (9)	Cllr Brazil (1)	Cllr Vint (1)	Cllr Hitchins (1)

1573/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1575/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1576/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1577/16/FUL	Woolston Farm, Loddiswell	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Bramble, Cuthbert, Pearce, Rowe, Cane (10)	None	Cllr Vint (1)	Cllr Hitchins (1)
1953/16/HHO	Coombe Cottage, Kingswear	Conditional Approval	Cllrs Holway, Brazil, Cane, Rowe (4)	Cllrs Steer, Foss, Hodgson, Vint, Bramble, Cuthbert, Pearce (7)	None	Cllr Hitchins (1)
1953/16/HHO	Coombe Cottage, Kingswear	Refusal	Cllrs Steer, Foss, Hodgson, Vint, Bramble, Cuthbert, Pearce (7)	Cllrs Holway, Brazil, Cane, Rowe (4)	None	Cllr Hitchins (1)
1251/16/FUL	Marldon Christmas Tree Farm, Marldon	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Vint, Bramble, Cuthbert, Pearce, Rowe (10)	None	Cllr Cane (1)	Cllr Hitchins (1)
1957/16/FUL	Borough Park, Totnes	Conditional Approval	Cllrs Steer, Foss, Brazil, Holway, Hodgson, Vint, Bramble, Cuthbert, Pearce, Rowe, Cane (11)	None	None	Cllr Hitchins (1)