

SOUTH HAMS COUNCIL



Minutes of a meeting of the **South Hams Council** held on **Thursday, 22nd February, 2018** at **2.00 pm** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman

Vice Chairman Cllr Hicks

Cllr Baldry
Cllr Birch
Cllr Bramble
Cllr Brown
Cllr Foss
Cllr Green
Cllr Hitchins
Cllr Holway
Cllr Huntley
Cllr Pearce
Cllr Pringle
Cllr Saltern
Cllr Steer
Cllr Vint
Cllr Wright

Cllr Bastone
Cllr Blackler
Cllr Brazil
Cllr Cane
Cllr Gilbert
Cllr Hawkins
Cllr Hodgson
Cllr Hopwood
Cllr May
Cllr Pennington
Cllr Rowe
Cllr Smerdon
Cllr Tucker
Cllr Wingate

In attendance:

Councillors:

Officers:
Head of Paid Service
Section 151 Officer
Deputy Monitoring Officer

56. **Appointment of Vice Chairman**

56/17

In light of the Chairman having sent her apologies to this meeting, nominations were invited to serve as Vice-Chairman for the duration of this meeting.

It was then:

RESOLVED

That Cllr T R Holway be appointed Vice-Chairman for the duration of this meeting.

57. **Minutes**

57/17

The minutes of the meeting of the Council held on 14 December 2017 were confirmed as a correct record and signed by the Chairman, subject to it being recorded that Cllr R C Steer had submitted his apologies to that meeting.

58. **Declarations of Interest**

58/17

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllr J P Green declared a Disclosable Pecuniary Interest in Item 9: '2018/19 Budget Proposals' (Minute 62/17 below refers) specifically in relation to the proposed fee for Acupuncture, Tattooing, Ear-piercing and Electrolysis by virtue of his wife being an acupuncturist. In the event of this particular fee being debated, Cllr Green advised that he would then leave the meeting during the discussion and he abstained from the vote on part 16 of the recommendation.

59. **Business Brought Forward by the Chairman**

59/17

The Chairman did not have any announcements to make in accordance with this agenda item.

60. **Question(s)**

60/17

It was noted that one question had been received in accordance with Council Procedure Rule 8. This question was as follows:-

From Cllr Baldry to Cllr Bastone, lead Executive Member for Development Management

(a) At the end of last year, Liberal Democrats asked local authorities questions about empty homes in their area. The only authorities in Devon not to reply to this FOI request were South Hams and West Devon. This is information which would inform Members, Officers and the public.

1. Why did we not reply?

2. What is the answer to the Questions?

2(a) How many homes in South Hams have been empty for over 6 months?

2(b) How many have been empty for over 2 years?

2(c) How many homes were brought back into use during the latest 12 months for which we have figures?

2(d) Have we made use of the Empty Dwelling Management Orders (EDMO) which allow local authorities to take over properties that have been empty for at least two years?

In reply, Cllr Bastone informed that the Council had a requirement to respond to all Freedom Of Information (FOI) requests within 20 working days. This FOI was received and allocated within Case Management. However, due to other demands, the information required to respond to the FOI was not collated and the FOI failed to be responded to. The Case Management Manager, Catherine Bowen, would be reviewing the process to ensure that an instance such as this did not happen again and the Member of staff reminded of the importance of dealing with FOI's in a timely fashion.

With regard to Question 2, Cllr Bastone replied that:

2(a) As of October 2017, there were 254 properties defined as empty for a period of over 6 months (37 of these were receiving a discount as they were considered uninhabitable for Council Tax purposes.

2(b) According to the Council Tax Government Return completed in October 2014 there were 62 properties shown as empty for over two years;

2(c) The Council had investigated a total of 51 properties on the Council Tax empty list. This list was generated in June 2017:

- 14 were now occupied;
- 6 confirmed as being 2nd homes;
- 4 were in the process of being sold;
- 7 either had planning issues or were going through planning;
- 1 had been demolished;
- 5 were going through refurbishment;
- 10 had been risk assessed and were currently being considered for further action; and
- 3 were being brought back into use: one using a Wessex Loan; one through a third party auction; and one through further engagement.

2(d) Cllr Bastone informed that the Council had not used the EDMO approach to date. However, this would be considered

as part of the options appraisal for the 10 empty homes above.

In light of the great housing need in the South Hams, coupled with 254 properties being defined as 'empty', Cllr Baldry asked a supplementary question as to whether it was acceptable for the Council not to be using EDMO's. In response, Cllr Bastone gave an assurance that a review into the potential use of EDMO's would be undertaken within the next six months.

61.

Notice of Motion

61/17

It was noted that five motions had been received in accordance with Council Procedure Rule 10.1.

(a) By Cllrs Pearce and Bastone

'This Council notes that the fishing industry is a dangerous industry to work in with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Flotation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Group Manager – Commercial Services to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Flotation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Head of Paid Service to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.'

In introducing the motion, the proposer made reference to:-

- her amazement that, whilst you were required to wear a seat belt in modes of transport including a car and an aeroplane, there was no similar obligation to wear a Personal Flotation Device on a boat;
- these Devices being very comfortable to wear. In acknowledging that fishermen could not be forced to wear these Devices, she was confident that the overwhelming majority would choose to;
- funding for the Devices. Whilst the Marine Management Organisation would not fully fund these Devices, the Boards of both Salcombe and Dart Harbour had agreed in principle to fund the shortfall (estimated as being 15-20% of the total purchase price).

During the ensuing debate, the following points were raised:-

- (i) A Member highlighted that fishermen had been fully involved in the development of these Devices;
- (ii) Some Members emphasised the risky nature of the fishing industry and stressed that the lives of fishermen could be saved by them wearing these Devices;
- (iii) In total support of the motion, some Members felt that the roll out of these Devices should be extended to include the wider maritime industry and specifically those staff members who operated the Dartmouth Lower Ferry.

It was then:

RESOLVED

This Council notes that the fishing industry is a dangerous industry to work in with several lives lost across the UK each year. Such a tragic loss of life has a far reaching impact upon the fisherman's family, friends and community. Personal Flotation Devices and Personal Locator Beacons would greatly improve the chances of the fisherman being rescued. Unfortunately not all fishermen can afford this equipment.

Therefore this Council requests the Group Manager – Commercial Services to make an application to the Marine Management Organisation for funding through the European Maritime and Fisheries Fund to fully fund the purchase of Personal Flotation Devices equipped with Personal Locator Beacons and to develop a delivery scheme in partnership with the local fishing industry. This would ensure that those local fishermen who would struggle financially to buy one of these potentially lifesaving pieces of equipment can be provided to them at no cost.

This Council also requests the Head of Paid Service to write to the Local Government Association to request they encourage all other councils with fishing communities to follow suit and support the fishing industry nationally.

(b)By Cllrs Smerdon and Foss

'This Council is extremely concerned that the continual closure of local high street banks and village post offices is causing hardship to sections of our rural communities and small businesses, we will ask the LGA to press the government to address this matter with urgency.'

In his introduction, the proposer highlighted that:-

- in excess of 1,000 local high street banks and village post offices had closed in the last two years;
- Wales, Scotland and South West England had been the worst affected areas for these closures;
- there was a need to press Central Government to reverse this trend;
- these closures were having a significant impact upon the elderly and most vulnerable members of the community. In addition, this impact was heightened in rural communities.

In discussion, particular reference was made to:-

- (a) an amendment being **PROPOSED** and **SECONDED** as follows:

"This Council also advises and encourages all of its parish councils on how to register village Post Offices as 'Assets of Community Value'."

In support of the amendment, the proposer felt that the original motion was too vague and there was a need to be more pro-active and increase the pressure on Central Government in this respect. Furthermore, the proposer stressed the need to look at tightening local planning policies to prevent any change of use applications from being submitted.

In echoing his support, another Member was of the view that the Council could be encouraging residents and tourists alike to be using our local town centres by reducing car parking charges.

Other Members expressed their concerns over the amendment that, in summary, were:

- o the purpose of registering an 'Asset of Community Value' was to ensure the protection of a building as opposed to a business. As a result, the merits of supporting this amendment were therefore questioned;
- o that the proposed addition would dilute the thrust of the original motion; and
- o that local Ward Members should already be informing their parish councils on how to register an Asset of Community Value regardless of whether or not this amendment was supported.

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

- (b) the need for local communities to use these facilities or risk losing them;

- (c) accessing online services. Some Members emphasised that a number of residents did not access services such as online banking and were reliant upon the face-to-face contact provided by local high street banks and village post offices.

It was then:

RESOLVED

This Council is extremely concerned that the continual closure of local high street banks and village post offices is causing hardship to sections of our rural communities and small businesses, we will ask the LGA to press the government to address this matter with urgency.

(c) By Cllrs Hawkins and Pringle

'South Hams District Council encourages moves to reduce the use of single use plastics in the District and will lead by example and commit to finding ways to prevent the need for single use plastic items at all of its premises.'

In his introduction, the proposer informed that:

- a similarly worded motion had been recently approved by Devon County Council;
- it was vitally important that all local authorities did everything they could to reduce the use of single use plastics;
- there was an intention for the Estuaries Officer to set up an informal Group involving interested Members to develop a policy for town and parish councils to adopt.

In the ensuing debate, the following points were raised:-

- (a) A number of Members highlighted the momentum that had been gained following the recent Planet Earth television series and were fully supportive of the motion;
- (b) It was confirmed that any interested Members who wished to be involved in the policy development for town and parish councils should contact the Estuaries Officer;
- (c) In addition to highlighting that Ivybridge Town Council had similarly passed a motion to reduce the use of single use plastics, a Member also made reference to the work of the 'Fishing for Litter' organisation that had been established to reduce the amount of marine litter in the sea.

It was then:

RESOLVED

South Hams District Council encourages moves to reduce the use of single use plastics in the District and will lead by example and commit to finding ways to prevent the

need for single use plastic items at all of its premises.

(d) By Cllrs Green and Hodgson

'In all instances where a planning application is submitted following pre-application advice having been given by SHDC, this pre-application advice will be published on the Council's "Search for a Planning Application" facility during the consultation period prior to determination.'

Prior to proposing his motion, Cllr Green advised that, having been made aware of the imminent review of the pre-application process, it was his wish to **PROPOSE** an amended motion that read as follows:-

'That the review of the pre-application process considers that, in all instances where a planning application is submitted following pre-application advice having been given by SHDC, this pre-application advice will be published on the Council's "Search for a Planning Application" facility during the consultation period prior for determination.'

This alternative motion was subsequently **SECONDED**.

In debate, reference was made to an amendment to the motion that was **PROPOSED** and **SECONDED** to read as follows:

"Further this Council endorses the Government's Guidance on Pre-Applications set out in a document dated 6 March 2014 that states:

"Democratically elected Members are strongly encouraged to participate at the Pre-Application Stage where it is appropriate and beneficial for them to do so."

In the case of this Council, participation should include the attendance at meetings between planning officers and the applicant as well as being copied into key documents."

In support of their amendment, the proposer and seconder felt that there was a definite need for increased Member involvement in the pre-application process. That being said, other Members were concerned with the final sentence being too restrictive and potentially pre-empting the outcome of the review. In addition, this practice was already felt to be taking place with examples being cited in which Members had requested to be kept regularly informed on specific pre-applications. Finally, there was concerns raised that Members of the Development Management Committee could be placing themselves in a difficult position in the event of this aspect of the amendment being approved.

As a result of these views, the proposer and seconder requested that the **final sentence be deleted** from their amendment.

At this point, the proposer and seconder of the motion confirmed their willingness to accept the amendment, which therefore became part of the substantive motion.

It was then:

RESOLVED

That the review of the pre-application process considers that in all instances where a planning application is submitted following pre-application advice having been given by SHDC, this pre-application advice will be published on the Council's "Search for a Planning Application" facility during the consultation period prior to determination.

Further this Council endorses the Government's Guidance on Pre-Applications set out in a Document dated 6 March 2014 that states:

"Democratically elected Members are strongly encouraged to participate at the Pre-Application Stage where it is appropriate and beneficial for them to do so."

(e) By Cllrs Hodgson and Green

'SHDC has concerns over the rising number of people living illegally on the roadside in caravans, campervans and commercial vehicles in the District. As a matter of urgency, a strategy will be developed to determine how best to provide properly serviced pitches to accommodate these residents and land will be sought in order to secure suitable sites. Those that are on low incomes who do not identify as traditional gypsies and travellers will be recognised as a new group of residents who also need a safe pitch for their vehicles.'

In her introduction, the proposer highlighted that:

- she was aware of 10 illegal encampments in her ward in December 2017;
- there appeared to be a group of people that were currently not recognised;
- she would personally rather live in a camper van than be homeless and there was a definite need to make progress in this regard.

During the debate, reference was made to:

- (a) the term 'living *illegally* on the roadside...' being factually incorrect. Some Members took issue with this inaccuracy and did not wish to see this group of residents being wrongly criminalised. As a result, the proposer and seconder amended their motion to read 'living *unauthorised* on the roadside...';

- (b) those on 'low incomes'. A Member informed that she took real issue with the reference in the motion to 'low incomes' and questioned how this was defined and felt it was not the role of the Council to judge who was (and was not) on a low income. In reply, the seconder clarified that the intention of this reference was that such provision would only be relevant to those who were on low incomes;
- (c) the budgetary implications. In the event of this motion being approved, it was estimated that the purchase price of an appropriate piece of land would be in the region of £500,000. Furthermore, it was likely to cost in the region of another £500,000 to provide 16 pitches on this piece of land. When considering the Council's severe budget pressures coupled with the fact that responsibility was outside of the remit of this Council, a number of Members stated that they could not support approval of this motion;
- (d) the assessed need for three pitches. It was noted that the Joint Local Plan had identified a need for three pitches in the South Hams. Since planning permission had already been granted for two pitches, there was a need to supply one further site;
- (e) use of such sites. Some Members made the point that, even if such sites were provided, the Council had no ability to force these residents to use them. In addition, a Member made the point that there was likely to be some reluctance amongst these residents to paying rent;
- (f) the number of caravan sites in the South Hams. A Member highlighted the number of caravan sites located in the South Hams and felt a possible solution could be for some of these to be made available for this purpose during the winter months;
- (g) the lack of low income housing. Some Members were of the view that this problem was a consequence of a lack of availability of low income housing;
- (h) a need for research to be undertaken into this matter. Some Members recognised the intention of the motion and requested that more research be undertaken on this issue.

When put to the vote, the motion was declared **LOST**.

62. **2018/19 Budget Proposals**

62/17

The Council considered a report that provided an update of the overall financial position and detailed the formal proposals of the Executive to achieve a balanced Budget.

In his introduction, the Leader of Council particularly highlighted that:

- the Council would not be in receipt of any Revenue Support Grant

in 2018/19 and would also see a reduction of up to 50% in its New Homes Bonus. As a consequence, he was particularly keen on the Council investigating potential new income streams;

- new employment units had recently been constructed in Dartmouth and Totnes;
- he had recently attended the annual conference of the District Council Network. Following this conference, the Leader was convinced that the time had come for the Council to start to build housing. It was therefore his intention to ask officers to work up a report that presented an in-depth review into the merits of building Council housing;
- there was a need to look at the provision of public conveniences in a more sustainable way;
- the additional Business Rates funding. The Leader reminded the Council that the amount of additional funding received was reliant upon continued business growth in Devon; and
- it was his belief that the Council maintained strong financial management.

Upon the conclusion of the introduction, the Chairman invited questions from Members, during which the following issues were raised:-

- A Member sought clarification around the recommendations to transfer monies into Reserves with the purposes of 'creating local jobs and better supporting the local economy' and 'towards economic regeneration projects'. In reply, the Leader informed that items would be brought forward over the next twelve months and all Members were therefore urged to closely monitor the Executive Forward Plan;
- With regard to recent correspondence relating to the proposal to impose a 'pay on entry' charge at the Steamer Quay, Totnes, the Leader confirmed that further work was required. As part of this further work, assurances were given that consultation would be undertaken with relevant tenants, stakeholders and local Ward Members;

In accordance with Budget and Policy Framework Procedure Rule 7(j), an amended Budget had been received and was **PROPOSED** and **SECONDED** as follows:

'It is **RECOMMENDED** to Council that:-

1. internal borrowings up to £3 million be used to fund the leisure investment saving £55,000;
2. £1.5 million be invested long-term in the CCLA, upfront costs to be covered by the £103,000 underspend in the 2017/18 Budget, generating £65,000 income from 2019/20;
3. the Senior Leadership Team be reorganised (thereby saving £70,000);
4. funding to the LEP be ceased (thereby saving £5,000);
5. car parking charges in our market towns be reduced by 10% costing £175,000, with a target to reduce charges by 50% by 2022/23. £45,000 shortfall to be covered from the Economic

- Regeneration Projects reserve for 2018/19;
6. the closure of public toilets be stopped (costing £90,000 from 2019/20 and £180,000 from 2020/21);
 7. the Community Investment Fund of £150,000 be reinstated and funded by using £100,000 from the Play Parks Capital Programme, £25,000 from the New Homes Bonus and £25,000 from the Economic Regeneration Projects;
 8. a more thorough introduction of charging for domestic properties that have switched to business rates be explored;
 9. the immediate and systematic transfer of assets (including car parks) but not liabilities (public toilets) to the relevant Town or Parish Council be started. (NB. these can be leased back to the Council at a peppercorn rent);
 10. a housing trust/company be set up to act as a vehicle to deliver genuinely affordable and social housing for young working families;
 11. investment from reserves in incubator and start up business units and the delivery of genuinely affordable housing based on the average local wage be accelerated;
 12. work be undertaken with Devon County Council and other Devon District Councils to harmonise rubbish collection and car parking enforcement (on and off-street);
 13. it joins with North Yorkshire Councils to lobby government for local councils to charge 200% or more Council Tax on Second and Holiday Homes;
 14. it invests in Commercial Property in our Market Towns.

This is a dynamic, vibrant and strategic budget for the medium and long-term. It supports our local businesses, market towns and the tourism industry. It will help to unlock the potential of our young entrepreneurs and creative talents in order to drive economic growth in the South Hams and build genuinely affordable housing for young working families. It shows our trust and confidence in local Parish and Town Councils believing they are best placed to deliver for their local communities.'

The proposer and seconder of the amendment introduced it to the meeting and highlighted that:-

- (a) they considered the Budget recommendations made by the Executive to be uninspiring. In contrast, they felt that their amendment contained imaginative ideas that would be beneficial to residents of the district;
- (ii) investment in Commercial Property opportunities would be restricted to the South Hams;
- (iii) they were supportive of the Leader's comments relating to the building of Council houses;
- (iv) there had been very few 'invest to earn' concepts or ideas to date that had been presented for consideration;
- (v) these proposals presented a real opportunity to support local businesses and market towns and would help residents to drive economic growth.

Following this introduction, a Member asked for his disappointment at the general lack of debate into these alternative budgetary proposals to be noted.

In line with statutory requirements, a recorded vote was then undertaken on the amendment and was recorded as follows:-

For the motion (6): Cllrs Baldry, Birch, Brazil, Hodgson, Huntley and Vint

Against the motion (23): Cllrs Bastone, Blackler, Bramble, Brown, Cane, Foss, Gilbert, Hawkins, Hicks, Hitchins, Holway, Hopwood, May, Pearce, Pennington, Pringle, Rowe, Saltern, Smerdon, Steer, Tucker, Wingate and Wright

Abstentions (1): Cllr Green

Absent (1): Cllr Cuthbert

and the vote on the amendment was therefore declared **LOST**.

In line with statutory requirements, a recorded vote was then undertaken on part 1 of the motion (i.e. that Council Tax is increased by £5). The voting on this part was recorded as follows:-

For the motion (29): Cllrs Baldry, Bastone, Birch, Blackler, Bramble, Brazil, Brown, Cane, Foss, Gilbert, Green, Hawkins, Hicks, Hitchins, Hodgson, Holway, Hopwood, May, Pearce, Pennington, Pringle, Rowe, Saltern, Smerdon, Steer, Tucker, Vint, Wingate and Wright.

Against the motion (0):

Abstentions (0):

Absent (2): Cllrs Cuthbert and Huntley.

and the vote on part 1 of the motion was therefore declared **CARRIED**.

In line with statutory requirements, a recorded vote was then undertaken on part 16 of the motion. The voting on this part was recorded as follows:-

For the motion (23): Cllrs Bastone, Blackler, Bramble, Brown, Cane, Foss, Gilbert, Hawkins, Hicks, Hitchins, Holway, Hopwood, May, Pearce, Pennington, Pringle, Rowe, Saltern, Smerdon, Steer, Tucker, Wingate and Wright.

Against the motion (6): Cllrs Baldry, Birch, Brazil, Hodgson, Huntley and Vint

Abstentions (1): Cllr Green

Absent (1): Cllr Cuthbert

and the vote on part 16 of the motion was therefore declared **CARRIED**.

In discussion on the remaining parts of the recommendation, reference was made to:-

- (a) public conveniences. In light of the wording of the Executive Budget report, some Members were unable to support the recommendations relating to the public conveniences. Of particular concern to those Members was the inference that, if a transfer could not be negotiated and/or agreed, then a public convenience would automatically close. In reply, other Members gave an assurance that, in the event of any unforeseen issues coming to light, then these would be presented back to the Executive for further consideration. Despite these assurances, some Members still felt that the published Executive report did not include any provision for such flexibility in approach and they were therefore unwilling to support these recommendations as drafted;
- (b) the proposal to cease accepting cash and cheques at Council premises (excluding Car Parks). A Member repeated his previously raised objections to this proposed saving;
- (c) withdrawal of the Community Reinvestment Projects Fund. Since previous assurances had been made that Section 106 monies could be used for similar purposes to this Fund, it was requested that a report be presented to a future Overview and Scrutiny Panel meeting outlining how this alternative process would operate;
- (d) future budget reports. In response to some concerns over the method in which the budget reports were presented (and subsequently voted on), the Leader confirmed that he would review the process in time for the budget setting process next year.

In line with statutory requirements, a recorded vote was then undertaken on parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23 and 24 of the motion. The voting on these parts was recorded as follows:-

For the motion (23): Cllrs Bastone, Blackler, Bramble, Brown, Cane, Foss, Gilbert, Hawkins, Hicks, Hitchins,

Holway, Hopwood, May, Pearce, Pennington, Pringle, Rowe, Saltern, Smerdon, Steer, Tucker, Wingate and Wright.

Against the motion (7): Cllrs Baldry, Birch, Brazil, Green, Hodgson, Huntley and Vint.

Abstentions (0):

Absent (1): Cllr Cuthbert

It was then:

RESOLVED

1. That Council Tax is increased by £5 (which equates to a Band D council tax of £160.42 for 2018/19, an increase of £5 per year or 10 pence per week). This equates to a Council Tax Requirement of £6,072,207;
2. That the financial pressures in Appendix B of the presented agenda report (amounting to £895,700) be agreed;
3. That the £10,000 discretionary budget bid for the Citizens Advice Bureau be agreed;
4. That the schedule of savings identified in Appendix B of the presented agenda report (totalling £689,350) be agreed;
5. That the budget proposals for Public Conveniences (as set out in paragraphs 6.11, 6.23 and 6.24 of the Revenue Budget report to the Executive on 1 February 2018) be approved. (NB. This requires a decision as part of the 2018/19 Budget process, due to the implementation timescales);
6. That the Collection Fund Surplus of £73,000 (as shown in Appendix B of the presented agenda report) be agreed;
7. That the level of contributions to reserves to be included within the Authority's budget, as set out in Appendix C of the presented agenda report be agreed. (NB. This includes using £641,084 of New Homes Bonus funding to fund the 2018-19 Revenue Budget and a contribution of £475,000 into an Economic Regeneration Projects Earmarked Reserve);
8. That the Community Reinvestment Projects budget of £153,900 be withdrawn in 2018/19 onwards. (NB. This was previously funded by New Homes Bonus

funding as set out in Appendix E of the Revenue Budget report presented to the Executive meeting on 1 February 2018);

9. That Delegated Authority be granted to the Section 151 Officer, in consultation with the Leader of Council and lead Executive Member for Support Services, to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Fund for 2018/19;
10. That £3.5 million be ringfenced from the Business Rates Retention Earmarked Reserve for employment for the creation of local jobs and to better support the local economy (as per Appendix D of the Revenue Budget report presented to the Executive meeting on 1 February 2018);
11. That the Council Tax Support Grant paid to Town and Parish Councils be reduced by 9.85% for 2018/19 (as per Appendix A of the presented agenda report). (NB. this equates to a payment of £82,615 for 2018/19);
12. That the Council sets its total net expenditure for 2018/19 as £8,983,194 (as shown in Appendix B of the presented agenda report);
13. That the minimum level of the Unearmarked Revenue Reserves be maintained at £1,500,000 (as per Section 9 of the Revenue Budget report presented to the Executive on 1 February 2018);
14. That the level of reserves (as set out within the presented agenda report to the Executive on 1 February 2018) and the assessment of their adequacy and the robustness of budget estimates be noted. (NB. this is a requirement of Part 2 of the Local Government Act 2003);
15. That the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports (as outlined in the report presented to the Joint Development Management Committee and Overview and Scrutiny Panel meeting held on 18 January 2018) be approved;
16. That the proposed Environmental Health Charges (as outlined in the report presented to the Joint Development Management Committee and Overview and Scrutiny Panel meeting held on 18 January 2018) be approved;

17. That the proposed Fees and Charges for Development Management (as set out in Appendix C of the report presented to the Joint Development Management Committee and Overview and Scrutiny Panel meeting held on 18 January 2018) be approved;
18. That delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees to take account of market conditions, including competitor charges;
19. That an overall percentage increase of 2% to car park charges be approved, with responsibility for implementing this increase being delegated to the Group Manager for Commercial Services, in consultation with the lead Executive Member, following consultation with representative bodies (including town and parish councils). In addition, approval also be given to the withdrawal of weekly parking tickets;
20. That delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Commercial Waste Charges, once all the price modelling factors are known;
21. That delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Public Conveniences 'Pay on Entry' charges (which should not exceed 20 pence), following completion of works and a review of appropriate charges;
22. That the changes to Boat Storage Charges (as set out in paragraph 3.7 of the report presented to the Joint Development Management Committee and Overview and Scrutiny Panel meeting held on 18 January 2018) be approved;
23. That the Capital Programme Proposals for 2018/19 (totalling £2,555,000) be approved; and
24. That the 2018/19 Capital Programme of £2,555,000 be financed from the funding sources (as set out in Section 4 of the Capital Programme Budget Proposals report that was presented to the Executive meeting on 1 February 2018).

A report was considered that proposed that the Council adopted the draft 2018/19 Pay Policy Statement and the draft Pay and Reward Strategy.

During discussion, reference was made to:-

- (a) an amendment to the Pay Policy Statement. By way of an update, Members were informed that there was an error within the 2018/19 Pay Policy Statement. As a consequence, the proposer and seconder amended their motion to read as follows:

'That the 2018/19 Pay Policy Statement (as attached at Appendix A of the presented agenda report) be adopted, subject to the salary per annum for the Interim Group Manager for Strategic Finance and Section 151 Officer being amended to read £64,226';

- (b) the Returning Officer role. In reply to a question, officers confirmed that the additional monies that were paid to the Returning Officer were funded directly from Central Government and not from the Council.

It was then:

RESOLVED

1. That the 2018/19 Pay Policy Statement (as attached at Appendix A of the presented agenda report) be adopted, subject to the salary per annum for the Interim Group Manager for Strategic Finance and Section 151 Officer being amended to read £64,226; and
2. That the 2018/19 Pay and Reward Strategy (as attached at Appendix B of the presented agenda report) be adopted.

64. Political Structures Working Group Review

64/17

A report was considered that presented the findings of the Political Structures Working Group meeting that had been held on 25 January 2018 to discuss the following matters:-

- Live Streaming of Council and Formal Committee Meetings;
- Provision for Public Questions at full Council meetings;
- Electronic Voting in meetings; and
- Scheduling formal meetings during the month of August.

In discussion, it was confirmed that the intention of the Group proposal to live stream formal meetings initially to an internal audience only was to ensure that any technological issues could be identified, tested and resolved before any formal roll-out was then implemented.

It was then:

RESOLVED

1. That meetings of the Council and formal Committee meetings held at Follaton House be live streamed to an internal audience only initially for a three month trial period;
- 1a That, following this trial, the Political Structures Working Group be given authority to gauge its success and to then determine whether or not Council and formal Committee meetings held at Follaton House should be permanently live streamed;
2. That it be noted that the provision for both Public Questions to be asked at full Council meetings and electronic voting solutions be deferred to a future Political Structures Working Group for further consideration; and
3. That, unless in exceptional circumstances, no formal Member meetings be held during the month of August.

65. Transfer of Charity Land to Dartmouth Town Council

65/17

A report was considered that presented the detailed legal work and negotiations on the proposal to transfer a number of assets to Dartmouth Town Council.

Following a brief discussion in relation to the process to be administered, it was then:

RESOLVED

1. That, pursuant to s.280 of the Charities Act 2011, approval be given to the transfer of the administration of the two Charitable Trusts at Castle Woodland and Warfleet, Dartmouth to Dartmouth Town Council, in conjunction with the proposed transfer of other Assets, as resolved by the Executive on 2 February 2017 (Minute E.64/16 refers); and
2. That authority be delegated to the Community Of Practice Lead for Assets; in consultation with the Section 151 Officer; Head of Paid Service; Community Of Practice Lead for Legal; and Leader of the Council to conclude the detailed negotiations.

66. **Appointment of Deputy Electoral Registration Officer**

66/17

A report was considered that sought approval of the Council to appoint the Group Manager – Customer First and Support Services (Steve Mullineaux) as the Deputy Electoral Registration Officer for the Council.

It was then:

RESOLVED

That, with immediate effect, the Group Manager – Customer First and Support Services (Steve Mullineaux) be appointed as the Deputy Electoral Registration Officer for South Hams District Council.

67. **Exclusion of Public and Press**

67/17

It was then:

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 3 of Schedule 12A to the Act is involved.

68. **Salcombe Harbour Pontoon Improvement Project**

68/17

An exempt report was considered that sought Council approval of a request from Salcombe Harbour Authority to borrow monies from the Repairs and Maintenance Earmarked Reserve.

It was then:

RESOLVED

1. That approval be given to borrowing from the Repairs and Maintenance Earmarked Reserve by the Salcombe Harbour Authority on the terms as outlined in the presented agenda report;
2. That the contract for pontoon purchase be awarded to the successful tenderer as identified in the evaluation process (as outlined in Appendix A of the presented agenda report); and
3. That pontoon purchases be phased following detailed consideration by the Harbour Board of intended

locations and dependent upon legal permissions having been secured.

69. **Re-admittance of Public and Press**
69/17

It was then:

RESOLVED

That the public and press be re-admitted to the meeting.

70. **Reports of Bodies**
70/17

RESOLVED

That the minutes and recommendations of the undermentioned bodies be received and approved subject to any amendments listed below:-

(a) Development Management Committee 10 January 2018

(b) Licensing Committee 11 January 2018

L.16/17: Review of Proposed Licensing Charges in Relation to Taxi Licensing

RESOLVED

That the proposed fees be adopted with effect from 1 April 2018, subject to the outcome of the public consultation.

(c) Joint Overview and Scrutiny Panel and Development Management Committee 18 January 2018

(d) Overview and Scrutiny Panel 18 January 2018

(e) Audit Committee 25 January 2018

(e) Executive 1 February 2018

E.61/17: Quarter 3 Revenue Budget Monitoring 2017/18

RESOLVED

1. That the income surplus (of up to £20,000) be transferred into a Support Services Trading Opportunities Earmarked Reserve at the end of the 2017/18 Financial Year. This is expected to be

£20,000 and was generated by Human Resources and Finance in providing support to other Councils on their Transformation Programmes;

2. That the underspend on the Leisure Budget (of up to £87,000) be transferred into a Leisure Earmarked Reserve at the end of the 2017/18 Financial Year; and
3. That £50,000 of the additional planning income be transferred into the Planning Policy & Major Developments Earmarked Reserve at the end of the 2017/18 Financial Year.

E.62/17: Capital Programme Monitoring

RESOLVED

That £145,000 of the Capital Programme Contingency Budget of £300,000 be approved to be allocated to the capital projects as set out in exempt Appendix B of the agenda report presented to the Executive meeting.

E.67/17: Air Quality Strategy

RESOLVED

1. That a public and statutory consultation exercise be commenced on the proposed Air Quality Strategy (as outlined at Appendix 1 of the report presented to the Executive meeting); and
2. That authority be delegated to the Senior Specialist Environmental Health, in consultation with the Leader of Council, to make minor amendments to the document prior to its publication.

The Meeting concluded at 5.10 pm

Signed by:

Chairman
