

South Hams Council



Title:	Agenda																														
Date:	Thursday, 8th October, 2015																														
Time:	2.00 pm																														
Venue:	Council Chamber - Follaton House																														
Full Members:	<p style="text-align: center;">Chairman Cllr Bramble Vice Chairman Cllr Smerdon</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 Horsburgh</td> </tr> <tr> <td>Cllr Barnes</td> <td>Cllr May</td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Blackler</td> <td>Cllr Pennington</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Cane</td> <td>Cllr Saltern</td> </tr> <tr> <td>Cllr Cuthbert</td> <td>Cllr Steer</td> </tr> <tr> <td>Cllr Foss</td> <td>Cllr Tucker</td> </tr> <tr> <td>Cllr Gilbert</td> <td>Cllr Vint</td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Ward</td> </tr> <tr> <td>Cllr Hicks</td> <td>Cllr Wingate</td> </tr> <tr> <td>Cllr Hitchins</td> <td>Cllr Wright</td> </tr> <tr> <td>Cllr Hodgson</td> <td></td> </tr> <tr> <td>Cllr Holway</td> <td></td> </tr> </table>	Cllr Baldry	Cllr Horsburgh	Cllr Barnes	Cllr May	Cllr Bastone	Cllr Pearce	Cllr Blackler	Cllr Pennington	Cllr Brazil	Cllr Pringle	Cllr Brown	Cllr Rowe	Cllr Cane	Cllr Saltern	Cllr Cuthbert	Cllr Steer	Cllr Foss	Cllr Tucker	Cllr Gilbert	Cllr Vint	Cllr Hawkins	Cllr Ward	Cllr Hicks	Cllr Wingate	Cllr Hitchins	Cllr Wright	Cllr Hodgson		Cllr Holway	
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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. Minutes

1 - 24

to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Annual Council meeting held on 21 May 2015 and the Special Council meeting held on 10 September 2015;

2. Urgent Business

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

3. Confidential Business

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

4. Exempt Information

to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information;

5. Declarations of Interest

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

6. Chairman's Engagements

7. Business Brought Forward by the Chairman

to consider business (if any) brought forward by the Chairman;

8. The Audit Findings for the 2014/15 Accounts for South Hams District Council

25 - 54

to consider a report that presents Grant Thornton's Audit Findings for the year ending 31 March 2015 (NOTE: this agenda item was also considered by the Audit Committee at its meeting on 24 September 2015)

9. Questions

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

(a) From Cllr Pennington to Cllr Holway, Chairman of the Licensing Sub-Committee meeting held on 20 August 2015

Of the four Licensing Objectives that underpin the Licensing Act 2003, two of these state: 'public safety' and 'the prevention of public nuisance'. Therefore, on the application for a new premises licence for Firewood Restaurant and Bar in Marldon on 20 August 2015, the Licensing Sub-Committee did not receive a 'police report' in relation to the application giving any views or opinion on 'public safety' and 'public nuisance' despite strong objections from the public and parish council and it has been confirmed that only a verbal confirmation had been received from the Police Licensing Officer that he had no objections to the application. Therefore, in reaching the conclusion to grant the application, the Licensing Sub-Committee did not have either any written evidence from the police or any knowledge as to whether the police had visited and appraised the location and investigated the objections from members of the public and the parish council on issues citing both 'public safety' and 'public nuisance'.

Does the Chairman of the Licensing Sub-Committee therefore consider that the failure of the police, as a statutory consultee, to produce a written report on the issues of 'public safety' and 'public nuisance' for consideration by the Licensing Sub-Committee to be in breach of the Licensing Act 2003 and hence if so to invalidate the decision taken by the Licensing Sub-Committee?

(b) From Cllr Pennington to Cllr Holway, Chairman of the Licensing Sub-Committee meeting held on 20 August 2015

Can the Chairman of the Licensing Sub-Committee confirm whether a police officer visited the site of the Firewood Restaurant and Bar to investigate any issues involving 'Public Safety' and 'Prevention of Public Nuisance' and if so the date on which any such visit took place and the name of the police officer?

(c) From Cllr Pennington to Cllr Steer, Chairman of the Development Management Committee

Can the Chairman of the Development Management Committee give an assurance that in connection with all future planning applications, the Planning Authority will demand written reports to be submitted to South Hams District Council Planning Authority by all statutory consultees and NOT merely verbal confirmation either in support or

against applications?

(d) From Cllr Pennington to Cllr May, Chairman of the Licensing Committee

Will the Chairman of the Licensing Committee confirm that in all future licensing applications, written reports will be demanded from all statutory consultees?

(e) From Cllr Hodgson to Cllr Tucker, Leader of the Council

In light of the current refugee crisis (and the recent update from the Council's Specialist (Communications and Media) on the Refugee Crisis), I ask the Leader if this Council is willing to play its part in supporting and accommodating its fair share of refugees. Would the Leader therefore be willing to agree to:

- Ask our Housing Officer to write to local housing associations, owners of empty houses and second homes in the South Hams to encourage them to make properties available to resettle refugees;
- Commit to ensuring that refugees are welcomed in this area and help facilitate this process by asking our officers and Councillors to support local service provision and work with those co-ordinating the immense public will to help; and
- Write to the Prime Minister to assure him that South Hams District Council stands ready and willing to help at this time of crisis.

(f) From Cllr Baldry to Cllr Tucker, Leader of the Council

Is the Leader aware that Maidstone Borough Council has written into their Constitution that Chairmen and Vice-Chairmen of Committees have to be from different political groups and does he agree with the Leader of Maidstone BC that such a requirement increases transparency and public confidence?

10. Notice of Motion

to consider the following motions received (if any) in accordance with Council Procedure Rule 10.1

(a) By Cllrs Wright and Ward

'As a result of the Governments recent announcement that Housing Associations will have to cut Social housing rents by 1% each year for the next four years from April 2015, this Council wishes to express its concerns that this policy will

reduce the number of affordable homes being brought forward in our District, and asks for the support of the local members of Parliament.'

(b) By Cllrs Brazil and Baldry

'This Council welcomes the publication of the Government's Rural Productivity Plan. However, we question the solutions to solve our housing needs contained in the Plan. As such we invite the Secretary of State to visit South Hams to hear our concerns and explore alternative solutions including the Village Housing Initiative.'

(c) By Cllrs Hodgson and Baldry

'With regard to the recent question to Executive regarding the underlying factors and principles regarding SHDC annual and four year budgets, we wish to propose that this Council adopts a set of easily understood and transparent principles for how it sets the budget, such that all Councillors and residents can understand how their council tax is spent.'

11. Amendments to the Council's Procedure Rules Regarding the Dismissal of Senior Officers 55 - 58

to consider a report that deals with the requirements set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 in respect of the new arrangements for taking disciplinary action against the Council's statutory officers, namely the Head of Paid Service, the S151 Officer and the Monitoring Officer;

12. 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) Development Management Committee - 27 May 2015 59 - 64**
- (b) Overview & Scrutiny Panel - 4 June 2015 65 - 76**
- (c) Executive - 18 June 2015 77 - 82**
- (d) Audit Committee - 25 June 2015 83 - 86**
- (e) Development Management Committee - 1 July 2015 87 - 108**

(f) Overview & Scrutiny Panel - 9 July 2015	109 - 118
(g) Salcombe Harbour Board -13 July 2015	119 - 124
(h) Executive - 23 July 2015	125 - 130
(i) Development Management Committee - 29 July 2015	131 - 146
(j) Audit Committee* - 30 July 2015	147 - 152
(k) Overview & Scrutiny Panel - 27 August 2015	153 - 162
(l) Development Management Committee* - 2 September 2015	163 - 168
(m) Executive* - 10 September 2015	169 - 176
(n) Overview & Scrutiny Panel - 17 September 2015	177 - 186

Agenda Item 1

MINUTES OF THE ANNUAL MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 21 MAY 2015

MEMBERS

* Cllr P W Hitchins – Chairman

* Cllr I Bramble – Vice-Chairman

* Cllr K J Baldry	* Cllr D W May
* Cllr N A Barnes	* Cllr J A Pearce
* Cllr H D Bastone	* Cllr J T Pennington
∅ Cllr J I G Blackler	* Cllr K Pringle
* Cllr J Brazil	* Cllr R Rowe
* Cllr D Brown	* Cllr M F Saltern
* Cllr B F Cane	* Cllr P C Smerdon
* Cllr P K Cuthbert	* Cllr R C Steer
* Cllr R J Foss	* Cllr R J Tucker
* Cllr R D Gilbert	* Cllr R J Vint
* Cllr J D Hawkins	* Cllr L A H Ward
* Cllr M J Hicks	* Cllr K R H Wingate
* Cllr J M Hodgson	* Cllr B Wood
* Cllr T R Holway	* Cllr S A E Wright
∅ Cllr D Horsburgh	

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Head of Paid Service, Executive Director (Service Delivery and Commercial Development), Monitoring Officer and Democratic Services Manager

01/15 **PETITION – DARTMOUTH AND DISTRICT INDOOR POOL TRUST**

Upon the commencement of the meeting, the Chairman received a petition from representatives of the Dartmouth and District Indoor Pool Trust.

The Chairman proceeded to exercise his discretion to permit the Chairman of the Trust to make representations to the Council. In so doing, the Chairman of the Trust expressed his frustrations at the delay in progress and strongly urged the Council to act swiftly to ensure that the Indoor Pool community project was delivered.

02/15 **ELECTION OF THE CHAIRMAN OF COUNCIL**

RESOLVED

That Cllr I Bramble be elected Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2016.

Cllr Bramble subsequently declared and signed his acceptance of office.

03/15

ADDRESS BY THE NEW CHAIRMAN OF COUNCIL

In addressing the Council, Cllr Bramble expressed his honour at being elected as Chairman of Council and wished to thank his fellow Members for their vote of confidence.

In his address, Cllr Bramble also made specific reference to:-

- his wish to both congratulate and welcome new and returning Members to the Council following the recent election. In so doing, the Chairman also wished to remember and thank those Members who had either retired or lost their seats during this election;
- the inevitable challenges facing the Council and the consequent need for Members and officers to be resilient; and
- his intention (wherever possible) to keep Council meetings focused and succinct.

04/15

VOTE OF THANKS TO RETIRING CHAIRMAN

RESOLVED

That the thanks of the Council be extended to Cllr Hitchins for the manner in which he performed his duties during his term of office as Chairman of the Council.

05/15

RESPONSE OF THE RETIRING CHAIRMAN

Cllr Hitchins addressed the Council and highlighted what an enjoyable year in office it had been. In so doing, particular reference was made to:-

- the pace of change and evolution of the Transformation Programme being a prominent feature during his year of office. The Chairman proceeded to welcome the newly appointed Senior Leadership Team to the Council and emphasised the importance of maintaining good levels of service delivery and communication links;
- the benefits of utilising the Chairman's Office, which could act as a two way channel of communication between the administration and the community;
- his illness during his year of office. During what was a personally traumatic (and unforeseen) time, the Chairman wished to thank all Members and officers for their overwhelming support during his illness last summer. In particular, the Chairman extended his gratitude to his Vice Chairman, the Leader and Member Services Team for their support;

- the success of his engagements. Whilst a full list of his annual engagements were tabled to the meeting, the Chairman highlighted his Civic Service, Civic Dinner, Sausage Sizzle and Christmas Party for particular reference;
- £1,700 having been raised for his chosen charity.

Upon the conclusion of his address, the Council extended its wishes to Cllr Hitchins and hoped that his upcoming knee operation was a success.

06/15 **APPOINTMENT OF VICE CHAIRMAN OF COUNCIL**

RESOLVED

That Cllr P C Smerdon be appointed Vice Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2016.

Cllr Smerdon subsequently declared and signed his acceptance of office.

07/15 **MINUTES**

The minutes of the meeting of Council held on 12 February 2015 were confirmed as a correct record and signed by the Chairman.

08/15 **ELECTION OF LEADER OF THE COUNCIL AND CHAIRMAN OF THE EXECUTIVE FOR THE FOUR YEAR TERM FROM 2015/16**

RESOLVED

That Cllr R J Tucker be elected Leader of the Council and Chairman of the Executive for the period expiring on the date of the Annual Meeting of the Council in 2019.

In expressing his gratitude at being re-elected Leader of Council, Cllr Tucker revealed to the Council that, in accordance with the Strong Leader model (Minute 57/10 refers), it was his wish to appoint Cllr Ward to the position of Deputy Leader for the period expiring on the date of the Annual Meeting of the Council in 2019.

Having informed the Council of this decision, Cllr Tucker wished to put on record his gratitude for the magnificent support provided by Cllr Hicks, who had worked tirelessly for the Council during his time as Deputy Leader of Council.

09/15

REPRESENTATION ON POLITICAL GROUPS

The Chairman advised Members that a review of the representation of the political groups on the Council's Bodies had been carried out in consultation with the Leaders of the two Political Groups.

It was then:

RESOLVED

1. That it be noted that the Political Composition of the Council is as follows:-
 - A Conservative Group of 25 Members; and
 - An Opposition Group of 6 Members.
2. That the political balance rules be disapplied in respect of the Salcombe Harbour Board appointments; and
3. That the overall political balance of Council Bodies, as outlined in the paper tabled to the meeting, be approved.

10/15

APPOINTMENT OF MEMBERS OF THE BODIES OF THE COUNCIL

The Council subsequently received nominations from the Group Leaders for the membership of the Bodies of the Council.

Whilst not personal, an Opposition Group Member informed of his objections to the principle of any dual-hatted Member (who was also a serving Devon County Councillor) being nominated to serve on the Executive. As a consequence, an amendment to the list of nominations was **PROPOSED** and **SECONDED** whereby Cllr Saltern should be appointed to serve on the Executive, with Cllr Gilbert then being appointed to serve on the Overview and Scrutiny Panel.

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

It was then:

RESOLVED

That, for the 2015/16 Municipal Year, Members be appointed to the Bodies of the Council as set out in Appendix A to these minutes.

11/15

ELECTION OF CHAIRMEN AND VICE CHAIRMEN OF THE BODIES OF THE COUNCIL

The Council received nominations from its Group Leaders for the positions of Chairmen and Vice Chairmen of the Bodies of the Council.

Some Opposition Group Members highlighted the political composition of the Council and felt it to be critical that the role of Overview and Scrutiny Panel Chairman should be allocated to an Opposition Group Member. As a consequence, two nominations (Cllrs K J Baldry and M F Saltern) had been received to the position of Chairman of the Overview and Scrutiny Panel.

When put to the vote, it was declared **CARRIED** that Cllr M F Saltern be appointed to the role of Overview and Scrutiny Panel Chairman. Having been appointed, Cllr Saltern emphasised that the Overview and Scrutiny Panel would not be a political body during his term of office and he would value all contributions equally from both political groups of the Council.

It was then:

RESOLVED

That the Chairmen and Vice Chairmen of the Bodies of the Council for the 2015 / 2016 Municipal Year be as indicated below:-

Body	Chairman	Vice Chairman
Audit Committee	Cllr J T Pennington	Cllr K R H Wingate
Development Management Committee	Cllr R C Steer	Cllr R J Foss
Licensing Committee	Cllr D W May	Cllr T R Holway
Overview and Scrutiny Panel	Cllr M F Saltern	Cllr K R H Wingate
Salcombe Harbour Board	Cllr J Brazil	Co-opted Member

12/15

APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

A report was considered which set out details of those Outside Bodies to which the Council appointed representatives and included a list of nominations for representation on these Outside Bodies.

Some Members questioned why it was being recommended that no nomination be made at this time to the Devon and Cornwall Housing / Devon CIC Outside Body. In response, it was noted that Devon and Cornwall Housing (DCH) was currently undertaking an extensive governance review, which would be concluded in the Autumn and it was therefore felt inappropriate at this time for the Council to put forward any nominee(s). Nonetheless, some Members reiterated the importance of this nomination and wished for their concerns to be noted. As an assurance, the Head of Paid Service confirmed that he would write to DCH to ensure that the organisation was made aware of these concerns.

It was then:

RESOLVED

1. That the Council should be represented on the list of Outside Bodies as presented to the meeting;
2. That the Members named in Appendix B to these minutes be appointed as the Council's representatives to those Bodies for the 2015/16 Municipal Year, and that for the purposes of Members' Allowances, attendance at meetings of these bodies be regarded as an approved duty;
3. That Members appointed to Outside Bodies provide regular feedback and consultation on the issues affecting the Bodies concerned.

13/15

APPOINTMENT OF OTHER GROUPS

In discussion on the list of proposed other groups, assurances were given that, despite it being recommended that the Income Generation Working Group should be disbanded, the Council remained fully committed to the principle of income generation.

Members were informed that there were a number of methods whereby income generation opportunities could be considered, including through the establishment of a Task and Finish Group by the Overview and Scrutiny Panel.

Having been informed by officers that it had not been lost sight of, a Member asked for this comment to be noted in relation to his proposal to investigate income generation opportunities through the installation of solar panels on Council owned car parks.

Members proceeded to confirm the appointment for the 2015/2016 Municipal Year of the:-

- (a) Beach Management Working Group;
- (b) Council Tax Setting Panel;
- (c) Design and Conservation Panel;
- (d) Devon Building Control Partnership;
- (e) Joint Staff Consultative Forum;
- (f) Joint SH/WD Leisure Board;
- (g) Political Structures Working Group;
- (h) Public Spaces Working Group;
- (i) Slapton Line Steering Group;
- (j) Strategic Planning Working Group;
- (k) Youth Engagement Working Group.

Council then considered the appointments to the above bodies.

RESOLVED

That the appointment of the Other Groups of the Council for the 2015/2016 Municipal Year be approved, as shown in Appendix C to these minutes.

14/15 **DECLARATIONS OF INTEREST**

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

Having sought the advice of the Monitoring Officer, Cllr M F Saltern declared a Personal Interest in Item 11: 'Appointment of Representatives on Outside Bodies' (Minute 12/15 above refers) by virtue of his serving on the Devon and Cornwall Housing Community Interest Company (CIC) Board and remained in the meeting and provided clarification during the debate on this specific item.

Cllr B Wood also declared an interest in Item 11: 'Appointment of Representatives on Outside Bodies' (Minute 12/15 above refers) by virtue of being an employee of Devon and Cornwall Housing and whilst he remained in the meeting, he took no part in the debate or vote thereon.

15/15 **CHAIRMAN'S ANNOUNCEMENTS**

The previous Chairman reiterated his gratitude for the support that he had received from his Vice-Chairman.

16/15 **QUESTIONS**

It was noted that no questions had been received in accordance with Council Procedure Rule 8.

17/15 **NOTICE OF MOTIONS**

It was noted that no motions had been received in accordance with Council Procedure Rule 10.1.

18/15 **CALENDAR OF MEETINGS 2015/16**

The Council considered a report that sought Member approval of the Calendar of Meetings for the 2015/16 Municipal Year.

In discussion, reference was made to:-

- (a) the proposal whereby the next scheduled Council meeting was not held until 8 October 2015. Some Members were of the view that this was too long a gap between Council meetings and an amendment was therefore **PROPOSED** and **SECONDED** as follows:

'That an additional Council meeting should be scheduled in the Calendar for 30 July 2015.'

In opposing the amendment, other Members highlighted the Council decision to schedule only four ordinary meetings in the Calendar each year and there still being the ability to convene additional meetings if deemed necessary.

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

- (b) meetings being held during August. Some Members reiterated their previously raised concerns that the Calendar was proposing three meetings during the month of August. In particular, Members were unhappy at the proposed Development Management Committee meeting on 26 August 2015. As a consequence, the proposer and seconder of the motion were happy to accept an amendment whereby this meeting should be rescheduled for 2 September 2015.

It was then:

RESOLVED

That the Calendar of Meetings for the 2014/15 Municipal Year be adopted (as per Appendix D to these minutes).

20/15

EXCLUSION OF PRESS AND PUBLIC

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 in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

21/15

LOCAL LAND CHARGES

An exempt report was considered that advised of the outcome of the settlement proposed for the refund of personal search fees.

In discussion, reference was made to:-

- (a) the Council having very little option in this regard other than to accept the report recommendations. Nonetheless, some Members did wish to express their view that this situation was unacceptable;

- (b) the exempt nature of the presented agenda report. Some Members questioned the justification for the report being exempt. In reply, it was noted that the agreement was still being negotiated and the Council was legally bound to maintain confidentiality.

It was then:

RESOLVED

1. That the Council settles the claim on the terms as outlined in the presented agenda report, with the settlement being funded from the Council's Unearmarked General Fund Reserves;
2. That delegated authority be given to the Head of Paid Service, in conjunction with the Leader of the Council and the S151 Officer to conclude the negotiation of the Council's liability to pay part of the Claimants' costs, having regard to the Council's apportionment of the overall nationwide claim.

22/15

RE-ADMITTANCE OF PRESS AND PUBLIC

RESOLVED

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

23/15

REPORTS OF BODIES

RESOLVED

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

- | | | |
|-----|---|-----------------|
| (a) | Community Life and Housing Scrutiny Panel | 5 February 2015 |
| (b) | Salcombe Harbour Board | 9 February 2015 |

Prior to presenting these minutes, the Chairman wished to thank Cllr Hicks for his service on the Board. In making reference to his valuable contributions, the Chairman also stated that the Board would miss Cllr Hicks greatly.

- | | | |
|-----|--|------------------|
| (c) | Development Management Committee | 18 February 2015 |
| (d) | Corporate Performance and Resources Scrutiny Panel | 19 February 2015 |
| (e) | Council Tax Setting Panel | 26 February 2015 |

- (f) Executive 5 March 2015

E.72/14: Treasury Management and Annual Investment Strategy for 2015/16

RESOLVED

1. That the prudential indicators and limits for 2015/16 to 2017/18 (as contained within Appendix A of the presented agenda report to the Executive) be approved;
2. That the Treasury Management Strategy 2015/16 and the treasury prudential indicators 2015/16 to 2017/18 (as contained within Appendix B of the presented agenda report to the Executive) be approved; and
3. That the Investment Strategy 2015/16 (Appendix C of the presented agenda report to the Executive refers) and the detailed criteria included in Appendix D of the presented agenda report to the Executive be approved.

E.73/14: Council Tax Discretionary Discount and Reduction Policy

RESOLVED

That the Council Tax Discretionary Discount and Reduction Policy be approved.

- (g) Audit Committee 12 March 2015

A.38/14: Annual Review of the Council's Constitution

RESOLVED

That the amendments to the Council Constitution 2015 (as summarised in paragraph 2.2 of the presented agenda report to the Committee and fully outlined on the website) be approved.

- (h) Development Management Committee 18 March 2015
- (i) Development Management Committee 15 April 2015

(j) Salcombe Harbour Board

20 April 2015

SH.53/14: Adoption of an Environmental Management System

RESOLVED

That the Council support and endorse the adoption of an Environmental Management System.

(Meeting commenced at 2.00 pm and concluded at 3.30 pm)

Chairman

Membership of Council Bodies 2015/16**Appendix A****A. Audit Committee**

Cllr I Bramble
 Cllr J Brazil
 Cllr R J Foss
 Cllr J T Pennington
 Cllr K R H Wingate

B. Development Management Committee

Cllr I Bramble
 Cllr J Brazil
 Cllr B F Cane
 Cllr P K Cuthbert
 Cllr R J Foss
 Cllr P W Hitchins
 Cllr J M Hodgson
 Cllr T R Holway
 Cllr J A Pearce
 Cllr R Rowe
 Cllr R C Steer
 Cllr R J Vint

C. Executive

Cllr H D Bastone
 Cllr R D Gilbert
 Cllr M J Hicks
 Cllr R J Tucker
 Cllr L A H Ward
 Cllr S A E Wright

D. Licensing Committee

Cllr N A Barnes
 Cllr J I G Blackler
 Cllr D Brown
 Cllr B F Cane
 Cllr P K Cuthbert
 Cllr R J Foss
 Cllr P W Hitchins
 Cllr T R Holway
 Cllr D Horsburgh
 Cllr D W May
 Cllr K Pringle
 Cllr R Rowe

E. Overview and Scrutiny Panel

Cllr K J Baldry
 Cllr N A Barnes
 Cllr J I G Blackler
 Cllr D Brown
 Cllr J D Hawkins
 Cllr D Horsburgh
 Cllr D W May
 Cllr J T Pennington
 Cllr K Pringle
 Cllr M F Saltern
 Cllr P C Smerdon
 Cllr K R H Wingate
 Cllr B Wood

F. Salcombe Harbour Board

Cllr J Brazil
 Cllr J A Pearce
 Cllr K R H Wingate
 Cllr S A E Wright

Representation on Outside Bodies 2015 / 2016**Appendix B**

	ORGANISATION	Nominee(s)
1.	Avon Estuary Forum	Cllr L A H Ward
2.	Dartmoor National Park Authority	Cllr P W Hitchins
3.	Dartmoor National Park Forum	Cllr P C Smerdon
4.	Devon Authorities Waste Reduction & Recycling Committee	Cllr R D Gilbert
5.	Devon and Cornwall Housing / Devon CIC	No nomination at this time
6.	Devon County/South Hams Highways and Traffic Orders Committee	Cllrs D Horsburgh and J T Pennington
7.	Devon Districts Forum have made the following appointment:- The Investment and Pension Fund Committee - Cllr M J Hicks (in substitute capacity)	
8.	Devon Economic Partnership	Cllr M J Hicks
9.	Governance Board (South Devon Healthcare NHS Foundation Trust)	Cllr S A E Wright
10.	Greater Dartmoor Local Enterprise Action Fund	Cllr P W Hitchins
11.	Hope Harbour	Cllr S A E Wright
12.	Joint Advisory Committee (JAC) on Housing for Local Needs in the Dartmoor National Park	Cllrs J I G Blackler and J Brazil
13.	Langage Local Liaison Committee	Cllrs J I G Blackler and D Brown
14.	Local Government Association:- (i) General Assembly - Cllr L A H Ward (ii) South West Branch – Leader (iii) Rural Commission - Leader or Deputy Leader (iv) LGA Committee, Panel, etc appointments (NB: These appointments are made via an Electoral College process through the LGA. Council has been given delegated authority to the Monitoring Officer, in consultation with the Leaders of the political groups, to agree any such appointments).	
15.	PATROL – Parking and Traffic Regulations Outside London	Cllr K J Baldry
16.	Plymouth and Peninsula City Deal	Leader of Council
17.	Police & Crime Commissioners Scrutiny Panel	Cllr M F Saltern

- | | | |
|-----|---|---|
| 18. | River Yealm Harbour Authority | Cllr T R Holway |
| 19. | Salcombe-Kingsbridge Estuary Conservation Forum | Cllr S A E Wright and Chairman of Salcombe Harbour Board (or nominee) |
| 20. | South Devon AONB Partnership Committee | Cllrs D Brown and B F Cane |
| 21. | South Devon Coastal Local Action Group | Cllr M J Hicks |
| 22. | South Devon and Dartmoor Community Safety Partnership | Cllr S A E Wright |
| 23. | South Hams Citizens' Advice Bureau | Cllr L A H Ward |
| 24. | South Hams Community and Voluntary Services - Executive Committee | Cllrs J A Pearce and P C Smerdon |
| 25. | South West Councils | Cllr R J Tucker |
| 26. | SPARSE Rural and Rural Services Network | Cllr M J Hicks |
| 27. | Tamar Estuary Consultative Forum | Cllr P W Hitchins |
| 28. | Totnes and Dartmouth Ring and Ride Service | Cllr D Horsburgh |
| 29. | Totnes and District Swimming Pool Association | Cllrs P C Smerdon and R J Vint |
| 30. | Yealm Estuary Forum | Cllr K J Baldry |

Appointment of Other Groups 2015/2016**Appendix C**

- (a) Beach Management Working Group**
Cllr D Brown
Cllr R J Foss
Cllr K R H Wingate
Cllr S A E Wright
- (b) Council Tax Setting Panel**
Chairman of Council
Leader of Council
Chairman of Overview and Scrutiny Panel
Leader of the Opposition
- (c) Design and Conservation Panel**
Cllr P W Hitchins
Cllr J A Pearce
Cllr R J Vint
- (d) Devon Building Control Partnership**
Cllr H D Bastone
Cllr M J Hicks
- (e) Joint Staff Consultative Forum**
Appointments to be delegated to the Group Leaders
- (f) Joint SH/WD Leisure Board**
Cllr H D Bastone
Cllr M J Hicks
Cllr L A H Ward
- (g) Political Structures Working Group**
Cllr K J Baldry
Cllr M J Hicks
Cllr P W Hitchins
Cllr J M Hodgson
Cllr J T Pennington
Cllr M F Saltern
Cllr R J Tucker
Cllr J A Westacott MBE
- (h) Public Spaces Working Group**
Cllr R J Foss
Cllr R C Steer
Cllr R J Vint
Cllr S A E Wright
- (i) Slapton Line Steering Group**
Cllr J Brazil
Cllr R J Foss

(i) Strategic Planning Working Group

Cllr M J Hicks
Cllr J M Hodgson
Cllr J A Pearce
Cllr J T Pennington
Cllr R C Steer
Cllr R J Vint

(j) Youth Engagement Working Group

Cllr D Brown
Cllr P K Cuthbert
Cllr J M Hodgson
Cllr L A H Ward
Cllr B Wood

Calendar of Meetings 2015/16**Appendix D****May 2015**

- 21 ANNUAL COUNCIL
- 27 Development Management Committee

June 2015

- 04 Overview and Scrutiny Panel
- 18 Executive
- 22 Site Inspections
- 25 Audit Committee

July 2015

- 01 Development Management Committee
- 09 Overview and Scrutiny Panel
- 13 Salcombe Harbour Board – Annual Inspection*
- 20 Site Inspections
- 23 Executive
- 29 Development Management Committee
- 30 Audit Committee

August 2015

- 17 Site Inspections
- 27 Overview and Scrutiny Panel

September 2015

- 02 Development Management Committee
- 10 Executive
- 14 Site Inspections
- 17 Overview and Scrutiny Panel
- 23 Development Management Committee
- 24 Audit Committee
- 28 Salcombe Harbour Board

October 2015

- 08 COUNCIL
- 12 Site Inspections
- 15 Executive (am)
- 15 Licensing Committee (pm)
- 21 Development Management Committee

November 2015

- 02 Salcombe Harbour Board**
- 09 Site Inspections**
- 18 Development Management Committee**
- 19 Overview and Scrutiny Panel**

December 2015

- 07 Site Inspections**
- 10 Executive (draft budget)**
- 16 Development Management Committee**
- 17 COUNCIL**

January 2016

- 07 Audit Committee**
- 11 Site Inspections**
- 14 Overview and Scrutiny Panel**
- 20 Development Management Committee**

February 2016

- 04 Executive**
- 08 Site Inspections**
- 11 COUNCIL (Budget)**
- 17 Development Management Committee**
- 25 Overview and Scrutiny Panel (am)**
- 25 Council Tax Setting Panel (pm)**
- 29 Salcombe Harbour Board**

March 2016

- 07 Site Inspections**
- 10 Executive**
- 16 Development Management Committee**
- 17 Overview and Scrutiny Panel**
- 24 Audit Committee**

April 2016

- 04 Site Inspections**
- 07 Executive**
- 13 Development Management Committee**
- 18 Salcombe Harbour Board**

May 2016

- 03 Site Inspections**
- 05 ANNUAL COUNCIL**
- 11 Development Management Committee**
- 31 Site Inspections**

June 2016

- 08 Development Management Committee**
- 27 Site Inspections**

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**MINUTES OF THE SPECIAL MEETING OF THE SOUTH HAMS DISTRICT
COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 10
SEPTEMBER 2015**

MEMBERS

* Cllr I Bramble – Chairman

* Cllr P C Smerdon – Vice-Chairman

* Cllr K J Baldry	* Cllr T R Holway
* Cllr N A Barnes	* Cllr D Horsburgh
* Cllr H D Bastone	* Cllr D W May
* Cllr J I G Blackler	* Cllr J A Pearce
* Cllr J Brazil	∅ Cllr J T Pennington
* Cllr D Brown	∅ Cllr K Pringle
∅ Cllr B F Cane	* Cllr R Rowe
* Cllr P K Cuthbert	* Cllr M F Saltern
* Cllr R J Foss	* Cllr R C Steer
* Cllr R D Gilbert	* Cllr R J Tucker
* Cllr J D Hawkins	∅ Cllr R J Vint
* Cllr M J Hicks	* Cllr L A H Ward
* Cllr P W Hitchins	* Cllr K R H Wingate
∅ Cllr J M Hodgson	* Cllr S A E Wright

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Head of Paid Service, Executive Director (Service Delivery and Commercial Development), Solicitor and Senior Specialist – Democratic Services

24/15 **MR PERCY MOYSEY**

The Chairman referred to the recent death of Mr Percy Moysey, who had been a District Councillor for twenty-six years from 1973 to 1999.

As a mark of respect, the Council proceeded to stand and observe a moment's reflection.

25/15 **DECLARATIONS OF INTEREST**

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

26/15

PLANNING OBLIGATIONS THRESHOLD

Following a successful legal challenge by Reading and West Berkshire Councils, the Council considered a report that sought to revoke the interim planning obligations decisions that were agreed at full Council on 12 February 2015 (Minute 67/14 refers).

In discussion, the following points were raised:-

- (a) Assurances were given that, since the initial decision of the Council on 12 February 2015 was for an interim period, there were no procedural irregularities regarding this agenda item;
- (b) In applauding the decision, some Members were of the view that the Council should send its congratulations to Reading and West Berkshire Councils for all their efforts in this regard;
- (c) Some Members also expressed their disappointment that the government had applied for leave to appeal this decision. As a consequence, it was felt that the LGA should be lobbying central government in an attempt to ask that they withdraw this application.

It was then:

RESOLVED

That the interim planning obligations decision (as agreed at full Council on 12 February 2015 (Minute 67/14 refers)) be revoked.

27/15

INTRODUCTION OF A DISCRETIONARY LOCAL BUSINESS RATE RELIEF DISCOUNT POLICY

A report was considered that recommended that the Council utilised its powers to apply discretionary business rate relief.

In introducing the agenda item, the lead Executive Member for Business Development provided an update on the discussions which took place at the Executive meeting earlier (Minute E.19/15 refers). In particular, the Member highlighted the justification behind the additional recommendations which had been generated by the Executive.

It was then:

RESOLVED

1. That local businesses be offered discretionary business rate relief where it is in the interest of local Council taxpayers to do so;
2. That a new discretionary business rate relief policy (as outlined at Appendix 1 of the presented agenda report) be ratified;

3. That the rate relief application form (as outlined at Appendix 2 of the presented agenda report) be approved;
4. That decisions made by the Panel be referred to the Audit Committee;
5. That the relevant local Ward Member(s) be invited to attend Panel meetings;
6. That authority be delegated to the Group Manager – Business Development, in consultation with the lead Executive Member to make minor legal amendments (as appropriate) to the Policy; and
7. That the Policy be reviewed after one year.

(Meeting commenced at 2.00 pm and concluded at 2.20 pm)

Chairman

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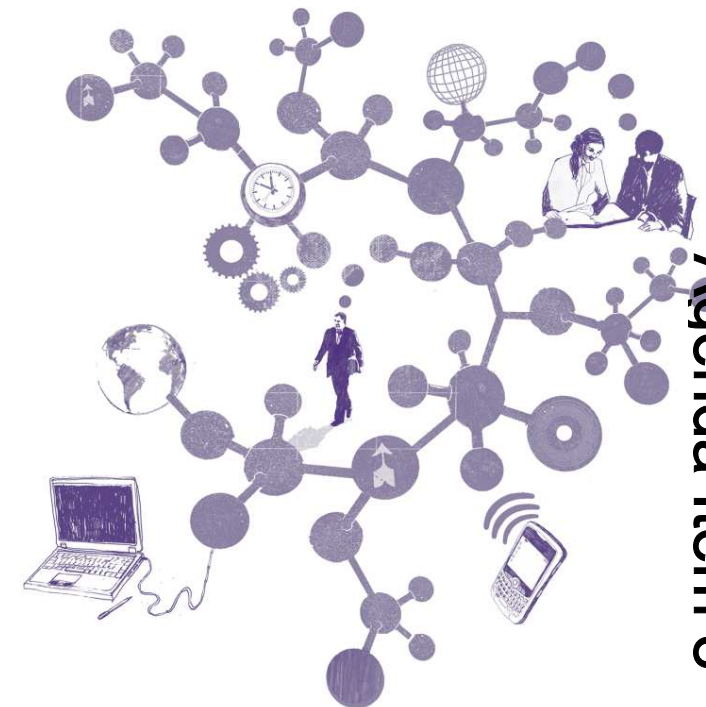
The Audit Findings for South Hams District Council

Year ended 31 March 2015

24 September 2015

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Agenda Item 8

The Audit Committee
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Dear Members

Audit Findings for South Hams District Council for the year ending 31 March 2015

The Audit Findings report highlights the significant findings arising from the audit for the benefit of those charged with governance in the case of South Hams District Council, the Audit Committee, as required by International Standard on Auditing (UK & Ireland) 260. Its contents have been discussed with management.

As auditors we are responsible for performing the audit, in accordance with International Standards on Auditing (UK & Ireland), which is directed towards forming and expressing an opinion on the financial statements that have been prepared by management with the oversight of those charged with governance. The audit of the financial statements does not relieve management or those charged with governance of their responsibilities for the preparation of the financial statements.

The contents of this report relate only to those matters which came to our attention during the conduct of our normal audit procedures which are designed primarily for the purpose of expressing our opinion on the financial statements. Our audit is not designed to test all internal controls or identify all areas of control weakness. However, where, as part of our testing, we identify any control weaknesses, we will report these to you. In consequence, our work cannot be relied upon to disclose defalcations or other irregularities, or to include all possible improvements in internal control that a more extensive special examination might identify. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

We would like to take this opportunity to record our appreciation for the kind assistance provided by the finance team and other staff during our audit.

Yours sincerely

Barrie Morris

Chartered Accountants

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4. Fees, non-audit services and independence	21
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Appendices

- A Action plan
- B Audit opinion

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Section 1: Executive summary

01. Executive summary

02. Audit findings

03. Value for Money

04. Fees, non-audit services and independence

05. Communication of audit matters

Page 28

Executive summary

Purpose of this report

This report highlights the key matters arising from our audit of South Hams District Council's (the Council) financial statements for the year ended 31 March 2015. It is also used to report our audit findings to management and those charged with governance in accordance with the requirements of International Standard on Auditing 260 (ISA UK&I).

Under the Audit Commission's Code of Audit Practice we are required to report whether, in our opinion, the Council's financial statements present a true and fair view of the financial position and expenditure and income for the year and whether they have been properly prepared in accordance with the CIPFA Code of Practice on Local Authority Accounting. We are also required to reach a formal conclusion on whether the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources (the Value for Money conclusion).

Introduction

In the conduct of our audit we have not had to alter or change our planned audit approach, which we communicated to you in our Audit Plan dated 12 March 2015.

Our audit is substantially complete although we are finalising our work in the following areas:

- Whole of Government Accounts
- going concern review
- review of the final version of the financial statements

- obtaining and reviewing the final management letter of representation
- review of final version of the Annual Governance Statement
- updating our post balance sheet events review, to the date of signing the opinion
- Whole of Government Accounts

We received draft financial statements and accompanying working papers at the start of our audit, in accordance with the agreed timetable.

Key issues arising from our audit

Financial statements opinion

We anticipate providing an unqualified opinion in respect of the financial statements.

- The accounts were free of significant errors; and
- We have not identified any adjustments that would affect the Council's reported financial position.

Further details are set out in section two of this report.

Value for Money conclusion

We are pleased to report that, based on our review of the Council's arrangements to secure economy, efficiency and effectiveness in its use of resources, we propose to give an unqualified VfM conclusion].

Further detail of our work on Value for Money is set out in section three of this report.

Whole of Government Accounts (WGA)

We will complete our work in respect of the Whole of Government Accounts in accordance with the national timetable.

Controls

Roles and responsibilities

The Council's management is responsible for the identification, assessment, management and monitoring of risk, and for developing, operating and monitoring the system of internal control.

Our audit is not designed to test all internal controls or identify all areas of control weakness. However, where, as part of our testing, we identify any control weaknesses, we report these to the Council.

Findings

We have identified some minor control issues that we wish to bring to your attention, further details are provided within section two of this report.

The way forward

Matters arising from the financial statements audit and review of the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources have been discussed with the Finance Community of Practice Lead.

We have made one recommendation, which we set out in the action plan in Appendix A. The recommendation has been discussed and agreed with the Finance Community of Practice Lead and the finance team.

Acknowledgment

We would like to take this opportunity to record our appreciation for the assistance provided by the finance team and other staff during our audit. We also acknowledge that the shared finance team has performed well in producing a good set of accounts.

Grant Thornton UK LLP
24 September 2015

Section 2: Audit findings

01. Executive summary

02. **Audit findings**

03. Value for Money

04. Fees, non-audit services and independence

05. Communication of audit matters

Audit findings

In this section we present our findings in respect of matters and risks identified at the planning stage of the audit and additional matters that arose during the course of our work. We set out on the following pages the work we have performed and the findings arising from our work in respect of the audit risks we identified in our audit plan, presented to the Audit committee on 24 September 2015. We also set out the adjustments to the financial statements arising from our audit work and our findings in respect of internal controls.

Changes to Audit Plan

We have not made any changes to our Audit Plan as previously communicated to you on 12 March 2015.

Audit opinion

Our proposed audit opinion is set out in Appendix B.

Audit findings against significant risks

"Significant risks often relate to significant non-routine transactions and judgmental matters. Non-routine transactions are transactions that are unusual, either due to size or nature, and that therefore occur infrequently. Judgmental matters may include the development of accounting estimates for which there is significant measurement uncertainty" (ISA (UK&I) 315).

In this section we detail our response to the significant risks of material misstatement which we identified in the Audit Plan. As we noted in our plan, there are two presumed significant risks which are applicable to all audits under auditing standards.

	Risks identified in our audit plan	Work completed	Assurance gained and issues arising
Page 33	<p>1. Improper revenue recognition Under ISA (UK&I) 240 there is a presumed risk that revenue may be misstated due to improper recognition</p>	<p>Having considered the risk factors set out in ISA240 and the nature of the revenue streams at the Council, we have determined that the risk of fraud arising from revenue recognition can be rebutted.</p> <p>Our work comprised:</p> <ul style="list-style-type: none"> • Substantive analytical review of housing rental income • Reconciling the Council tax debit • Analytically reviewing total collectable council tax revenues • Verifying that grants received have been correctly accounted for • Identifying fees, charges and other service income and reconciling these to the General ledger. 	<p>Our audit work has not identified any issues in respect of revenue recognition.</p>
	<p>2. Management override of controls Under ISA (UK&I) 240 there is a presumed risk of management override of controls</p>	<ul style="list-style-type: none"> • Review of accounting estimates, judgments and decisions made by management. • Testing of journal entries. • Review of unusual, significant journal transactions. 	<p>Our audit work has not identified any evidence of management override of controls. In particular the findings of our review of journal controls and testing of journal entries has not identified any significant issues.</p> <p>We set out later in this section of the report our work and findings on key accounting estimates and judgments.</p>





Audit findings against other risks

In this section we detail our response to the other risks of material misstatement which we identified in the Audit Plan. Recommendations, together with management responses, are attached at Appendix A.

Transaction cycle	Description of risk	Work completed	Assurance gained & issues arising
Operating expenses	Creditors understated or not recorded in the correct period	We have undertaken the following work in relation to this risk: <ul style="list-style-type: none"> • Review of system documentation and transaction walkthrough testing. • Agreed creditors to the ledger. • Reviewed a sample of payments before and after year end to ensure that they have been allocated to the correct year and correctly recognised. • Substantively tested a sample of operating expenses. • Tested the year end accruals process and the amounts included as the year end accrual. 	Our audit work has not identified any significant issues in relation to the risk identified.
Employee remuneration	Employee remuneration accrual understated	We have undertaken the following work in relation to this risk: <ul style="list-style-type: none"> • Reviewed system documentation and transaction walkthrough testing. • Undertaken predictive analytical review. • Substantively tested a sample of remuneration transactions. • Reviewed the calculation of redundancy costs. 	Our audit work has not identified any evidence that employee remuneration accruals are understated.
Welfare expenditure	Welfare benefit expenditure improperly computed	We have undertaken the following work in relation to this risk: <ul style="list-style-type: none"> • Review of system documentation and transaction walkthrough testing. • Predictive analytical review. We were able to rebut the risk that Welfare benefit expenditure improperly computed.	Our audit work has not identified any evidence that welfare benefit expenditure are improperly computed.

Accounting policies, estimates & judgements

In this section we report on our consideration of accounting policies, in particular revenue recognition policies, and key estimates and judgements made and included with the Council's financial statements.

Accounting area	Summary of policy	Comments	Assessment
Revenue recognition	Activity is accounted for in the year it takes place, not simply when cash payments are made or received.	We have no issues over the: <ul style="list-style-type: none"> • Appropriateness of policy under relevant accounting framework • Adequacy of disclosure of accounting policy 	 Green
Estimates and judgements	Management have disclosed their accounting policy, and disclosed key estimates and judgements around: <ul style="list-style-type: none"> – Depreciation; – Bad debt provisions; – Pension fund valuations and settlements; – Redundancy accruals; – Allocation of operating costs between the Council and West Devon Borough Council; and – NDR provisions. 	We have no issues over the: <ul style="list-style-type: none"> • Appropriateness of policies under relevant accounting framework • Extent of judgements involved • Adequacy of disclosure of accounting policies • Apportionments of the costs between South Hams DC and West Devon BC. 	 Green
Going concern	Management have a reasonable expectation that the services provided by the Council will continue for the foreseeable future. For this reason, they continue to adopt the going concern basis in preparing the financial statements.	We have reviewed managements' assessment and are satisfied that the going concern basis is appropriate for the 2014/15 financial statements.	 Green
Other accounting policies	We have reviewed the Council's policies against the requirements of the CIPFA Code and accounting standards.	Our review of accounting policies has not highlighted any issues which we wish to bring to your attention.	 Green

Assessment

- Marginal accounting policy which could potentially attract attention from regulators
- Accounting policy appropriate and disclosures sufficient
- Accounting policy appropriate but scope for improved disclosure

Other communication requirements

We set out below details of other matters which we are required by auditing standards to communicate to those charged with governance.



	Issue	Commentary
1.	Matters in relation to fraud	<ul style="list-style-type: none"> We have previously discussed the risk of fraud with the Audit Committee. We have not been made aware of any other incidents in the period and no other issues have been identified during the course of our audit
2.	Matters in relation to laws and regulations	<ul style="list-style-type: none"> We are not aware of any significant incidences of non-compliance with relevant laws and regulations.
3.	Written representations	<ul style="list-style-type: none"> A letter of representation has been requested from the Council.
4.	Disclosures	<ul style="list-style-type: none"> Our review found no non-trivial omissions in the financial statements.
5.	Matters in relation to related parties	<ul style="list-style-type: none"> We are not aware of any related party transactions which have not been disclosed.
6.	Confirmation requests from third parties	<ul style="list-style-type: none"> We obtained direct confirmations in relation to the Council's bank accounts and Investment balances. These were all received within the appropriate timescales.

Internal controls

The purpose of an audit is to express an opinion on the financial statements.

Our audit included consideration of internal controls relevant to the preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control. We considered and walked through the internal controls for Employee Remuneration and Operating Expenses as set out on page 10 above.

The matters that we identified during the course of our audit are set out in the table below. These and other recommendations, together with management responses, are included in the action plan attached at Appendix A.

	Assessment	Issue and risk	Recommendations
1 Page 37	 Amber	Fixed Asset Register Although the Fixed Asset Register maintained by the Council agrees in total to the software system used for managing assets (they both show a total of £73.178 million), there is a small imbalance of 0.5% between the classification between cost or valuation and accumulated depreciation. This is due to the way the software system treats impairment losses. The Council carries out an annual reconciliation so that the Fixed Asset note shows the correct figure.	The asset software system should be updated to ensure that it agrees with the amounts disclosed in the accounts.
2	 Amber	Our analysis of the journals for the year highlighted that there were Journals without a description,	All journals should have a narrative description to explain the nature and purpose of the transaction.

The matters reported here are limited to those deficiencies that we have identified during the course of our audit and that we have concluded are of sufficient importance to merit being reported to you in accordance with auditing standards.

Internal controls – review of issues raised in prior year

	Assessment	Issue and risk previously communicated	Update on actions taken to address the issue
1.	✓	<p>Payroll processes</p> <p>We noted that there was a lack of segregation of duties within the payroll department. In 2013/14 we found that payroll was administered by one individual. Further, from discussions with members of the finance and HR teams there appeared to be insufficient medium term contingencies should that member of staff leave or become ill.</p>	<p>Appropriate arrangements have now been introduced through additional staff receiving training to provide cover for leave or sickness. Currently three members of the team are able to process payroll. In addition the Council's HR team includes a allocation of 0.4 of a full time equivalent (Payroll specialist) as an overview to the payroll operation.</p>

Adjusted misstatements

A number of adjustments to the draft financial statements have been identified during the audit process. We are required to report all non-trivial misstatements to those charged with governance, whether or not the financial statements have been adjusted by management. The table below summarises the adjustments arising from the audit which have been processed by management.

Impact of adjusted misstatements

All adjusted misstatements are set out below along with the impact on the primary statements and the reported financial position.

Detail	Amount	Comprehensive Income and Expenditure Account £'000	Balance Sheet £'000	Impact on total net expenditure £'000
Total comprehensive Income and Expenditure in the draft accounts				14,611
Page 39 The disclosure of material items, on the face of the Comprehensive Income and Expenditure Account, included the purchase and recharge of intangible assets of £85k. As these are capital transactions both the expenditure and income needed to be taken out of the disclosure. There is no effect to the Council's disclosed outturn for the year.	85	0		
Overall impact		£0	£0	
Total comprehensive Income and Expenditure in the final accounts				14,611

There were no unadjusted misstatements

Misclassifications & disclosure changes

The table below provides details of misclassification and disclosure changes identified during the audit which have been made in the final set of financial statements.

Adjustment type	Value £'000	Account balance	Impact on the financial statements
1 Disclosure	n/a	Note 4. Adjustments between accounting basis and funding basis under regulations	Lines relating to Capital grants, REFCUS and Capital expenditure charged against the general fund had been shown nett.
2 Disclosure	n/a	Note 9 Property, Plant and Equipment	Capital commitments had not been disclosed
3 Disclosure	n/a	Note 11 Financial Instruments	Cash and cash equivalents had been omitted from the Note 11 in error.
Disclosure	n/a	Various notes	Some minor amendments to narrative and presentation. These did not impact on the understanding of the accounts.

Section 3: Value for Money

01. Executive summary

02. Audit findings

03. Value for Money

04. Fees, non-audit services and independence

05. Communication of audit matters

Value for Money

Value for money conclusion

The Code of Audit Practice 2010 (the Code) describes the Council's responsibilities to put in place proper arrangements to:

- secure economy, efficiency and effectiveness in its use of resources;
- ensure proper stewardship and governance; and
- review regularly the adequacy and effectiveness of these arrangements.

We are required to give our VfM conclusion based on two criteria specified by the Audit Commission which support our reporting responsibilities under the Code.

These criteria are:

The Council has proper arrangements in place for securing financial resilience - the Council has robust systems and processes to manage effectively financial risks and opportunities, and to secure a stable financial position that enables it to continue to operate for the foreseeable future.

The Council has proper arrangements for challenging how it secures economy, efficiency and effectiveness - the Council is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity.

Key findings

Securing financial resilience

We have undertaken a review which considered the Council's arrangements against the three expected characteristics of proper arrangements as defined by the Audit Commission:

- Financial governance;
- Financial planning; and
- Financial control.

The Council reported a surplus of £34k for 2014/15. Whilst this comprises a number of over and underspends, notably:

- increased income from planning activities of £440k
- Increased waste disposal costs of £123k
- Settlement of a national legal claim of £114k, and
- losses from the Dartmouth Ferry being out of action of £153k

The outturn reflects good financial planning and robust monitoring through the year..

Usable reserves at 31 March 2015 were £7.9m and the Council has £4.5m of usable capital receipts. The General Fund balance was £1.7m against the set minimum level of £1.5m.

The Council's medium term financial strategy for the four years to 31 March 2019, presented in September 2014, identified a cumulative funding gap of £14k. Assuming the savings from the T18 programme are all realised.

Challenging economy, efficiency and effectiveness

We have considered the Council's arrangements to challenge economy, efficiency and effectiveness against the following themes:

- Prioritising resources
- Improving efficiency & productivity

The Council's plans prioritise its resources reflecting the financial constraints. The T18 programme has been built upon the re-structuring of all the Council's activities which aims to ensure that all parts of the organisation are focussed on delivering services efficiently.

Overall VfM conclusion

On the basis of our work, and having regard to the guidance on the specified criteria published by the Audit Commission, we are satisfied that in all significant respects the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31 March 2015.

We set out below our detailed findings against six risk areas which have been used to assess the Council's performance against the Audit Commission's criteria. We summarise our assessment of each risk area using a red, amber or green (RAG) rating, based on the following definitions:

Green	Adequate arrangements
Amber	Adequate arrangements, with areas for development
Red	Inadequate arrangements

The table below and overleaf summarises our overall rating for each of the themes reviewed:

Theme	Summary findings	RAG rating
Key indicators of performance Page 48	Savings plans have been delivered. The Council made a surplus of £34k after funding the redundancy costs and other T18 costs. Financial ratios are good, below the nearest neighbour average, but not significantly. Usable reserves are £7.9m (15% of gross expenditure) The Cumulative gap over the next 4 years is £14k (presented in September 2014).	Green
Strategic financial planning	The Council updated its Medium Term Financial Strategy in September 2014. The plans are well progressed with savings achieved through the restructure. The Council is not dependent on one-off budget fixes or asset sales, nor does it have unsustainable income streams. All redundancies have been made as part of stage 1a and 1b, and accounted for in 2014/15. The costs were met from accumulated reserves and from a Government grant. However, the Council needs to monitor its service delivery to ensure it maintains its level of service.	Green
Financial governance	The Financial position is monitored quarterly . Reports focus on current position and link to the future financial pressures. The Council does some benchmarking of its costs. The S151 officer has unfettered access to the management team and is fully aware of decisions being taken, including financial implications. Quarterly balanced scorecard monitors delivery of key performance indicators.	Green

Theme	Summary findings	RAG rating
Financial control	<p>The Council has a good track record of achieving its plans.</p> <p>The Budget setting process does not rely on one-off fixes to achieve the projected funding gap.</p> <p>South Hams (with West Devon) plans to deliver its longer term savings plans through the T18 project. Both groups of members receive quarterly updates on the programme and the financial position.</p>	Green
Prioritising resources	<p>The T18 program has focused management and members on the need to succeed and achieve the levels of savings projected.</p> <p>T18 project empowers management and leaders to change the way the Council (and West Devon) operates to achieve large savings across South Devon.</p> <p>Service cost and delivery are considered. The impact is measured across the balanced scorecard in the Performance report.</p>	Green
Improving efficiency & productivity	<p>Benchmarking is done through sparse, areas of high spend were highlighted in 2013/14. The council recognised these at the time. The Audit Committee requested a detailed response from management to explain the Council's position, which was presented to members.</p> <p>The Council has achieved its savings target in 2014/15. There is a small underspend of £34k. The Medium Terms Financial Strategy (presented in September 2014) has identified a funding gap of £14k over the four years to 31 March 2019.</p> <p>No reports or inspections have identified areas where services are failing.</p>	Green

To support our VfM conclusion against the specified criteria we performed a risk assessment against VfM risk indicators specified by the Audit Commission and additional indicators identified by ourselves. Following completion of our work, we have not noted any residual risks.

A more detailed financial resilience report expanding on the conclusions will be brought to the next Audit Committee meeting

Section 4: Fees, non-audit services and independence

01. Executive summary

02. Audit findings

03. Value for Money

04. Fees, non-audit services and independence

05. Communication of audit matters

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Fees, non-audit services and independence

We confirm below our final fees charged for the audit

Fees

	Per Audit plan £	Actual fees £
Council audit	57,872	57,872
Grant certification on behalf of Audit Commission	9,770	9,770
Total audit fees	67,642	67,642

In 2014/15 we did not undertake any other services on behalf of the Council

Independence and ethics

We confirm that there are no significant facts or matters that impact on our independence as auditors that we are required or wish to draw to your attention. We have complied with the Financial Reporting Council's Ethical Standards and therefore we confirm that we are independent and are able to express an objective opinion on the financial statements.

We confirm that we have implemented policies and procedures to meet the requirements of the Auditing Practices Board's Ethical Standards.

Section 5: Communication of audit matters

01. Executive summary

02. Audit findings

03. Value for Money

04. Fees, non-audit services and independence

05. Communication of audit matters

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Communication of audit matters to those charged with governance

International Standard on Auditing ISA (UK&) 260, as well as other (UK&I) ISAs, prescribe matters which we are required to communicate with those charged with governance, and which we set out in the table opposite.

The Audit Plan outlined our audit strategy and plan to deliver the audit, while this Audit Findings report presents the key issues and other matters arising from the audit, together with an explanation as to how these have been resolved.

Respective responsibilities

The Audit Findings Report has been prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission (<http://www.psa.co.uk/appointing-auditors/terms-of-appointment/>).

We have been appointed as the Council's independent external auditors by the Audit Commission, the body responsible for appointing external auditors to local public bodies in England. As external auditors, we have a broad remit covering finance and governance matters.

Our annual work programme is set in accordance with the Code of Audit Practice (the Code) issued by the Audit Commission and includes nationally prescribed and locally determined work. Our work considers the Council's key risks when reaching our conclusions under the Code.

It is the responsibility of the Council to ensure that proper arrangements are in place for the conduct of its business, and that public money is safeguarded and properly accounted for. We have considered how the Council is fulfilling these responsibilities.

Our communication plan	Audit Plan	Audit Findings
Respective responsibilities of auditor and management/those charged with governance	✓	
Overview of the planned scope and timing of the audit. Form, timing and expected general content of communications	✓	
Views about the qualitative aspects of the entity's accounting and financial reporting practices, significant matters and issues arising during the audit and written representations that have been sought		✓
Confirmation of independence and objectivity	✓	✓
A statement that we have complied with relevant ethical requirements regarding independence, relationships and other matters which might be thought to bear on independence. Details of non-audit work performed by Grant Thornton UK LLP and network firms, together with fees charged Details of safeguards applied to threats to independence	✓	✓
Material weaknesses in internal control identified during the audit		✓
Identification or suspicion of fraud involving management and/or others which results in material misstatement of the financial statements		✓
Compliance with laws and regulations		✓
Expected auditor's report		✓
Uncorrected misstatements		✓
Significant matters arising in connection with related parties		✓
Significant matters in relation to going concern		✓

Appendices

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Appendix A: Action plan

Rec No.	Recommendation	Priority	Management response	Implementation date & responsibility
1	The asset software system should be updated to ensure that it agrees with the amounts disclosed in the accounts.	Medium	The Council will continue dialogue with the software provider as to how these amounts can be changed on the software system to show the correct figure.	Capital Accountant December 2015
2	All journals should have a narrative description to explain the nature and purpose of the transaction.	Medium	Agreed. Management will amend the software journal entry procedures to ensure that all journals have a notes facility attachment explaining the reason for the journal.	Finance Community of Practice Lead. September 2015

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Priority
High, Medium or Low

Appendix B: Audit opinion

We anticipate we will provide the Council with an unmodified audit report

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF SOUTH HAMS DISTRICT COUNCIL

We have audited the financial statements of South Hams District Council for the year ended 31 March 2015 under the Audit Commission Act 1998. The financial statements comprise the Movement in Reserves Statement, the Comprehensive Income and Expenditure Statement, the Balance Sheet, the Cash Flow Statement, the Collection Fund and the related notes. The financial reporting framework that has been applied in their preparation is applicable law and the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2014/15.

This report is made solely to the members of South Hams District Council, as a body, in accordance with Part II of the Audit Commission Act 1998 and as set out in paragraph 48 of the Statement of Responsibilities of Auditors and Audited Bodies published by the Audit Commission in March 2010. Our audit work has been undertaken so that we might state to the members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Authority and the Authority's members as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of the Finance Community of Practice Lead and auditor

As explained more fully in the Statement of the Finance Community of Practice Lead's Responsibilities, the Finance Community of Practice Lead is responsible for the preparation of the Statement of Accounts, which includes the financial statements, in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2014/15, and for being satisfied that they give a true and fair view. Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards also require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the Authority's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by Finance Community of Practice Lead; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the explanatory foreword to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report

Opinion on financial statements

In our opinion the financial statements:
give a true and fair view of the financial position of South Hams District Council as at 31 March 2015 and of its expenditure and income for the year then ended; and
have been properly prepared in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2014/15 and applicable law.

Opinion on other matters

In our opinion, the information given in the explanatory foreword for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which we report by exception

We are required to report to you if:
in our opinion the annual governance statement does not reflect compliance with 'Delivering Good Governance in Local Government: a Framework' published by CIPFA/SOLACE in June 2007; or
we issue a report in the public interest under section 8 of the Audit Commission Act 1998; or
we designate under section 11 of the Audit Commission Act 1998 a recommendation as one that requires the Authority to consider it at a public meeting and to decide what action to take in response; or
we exercise any other special powers of the auditor under the Audit Commission Act 1998.

We have nothing to report in these respects.

Conclusion on the Authority’s arrangements for securing economy, efficiency and effectiveness in the use of resources

Respective responsibilities of the Authority and the auditor

The Authority is responsible for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources, to ensure proper stewardship and governance, and to review regularly the adequacy and effectiveness of these arrangements.

We are required under Section 5 of the Audit Commission Act 1998 to satisfy ourselves that the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources. The Code of Audit Practice issued by the Audit Commission requires us to report to you our conclusion relating to proper arrangements, having regard to relevant criteria specified by the Audit Commission in October 2014.

We report if significant matters have come to our attention which prevent us from concluding that the Authority has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources. We are not required to consider, nor have we considered, whether all aspects of the Authority’s arrangements for securing economy, efficiency and effectiveness in its use of resources are operating effectively.

Scope of the review of arrangements for securing economy, efficiency and effectiveness in the use of resources

We have undertaken our review in accordance with the Code of Audit Practice, having regard to the guidance on the specified criteria, published by the Audit Commission in October 2014, as to whether the Authority has proper arrangements for:

- securing financial resilience; and
- challenging how it secures economy, efficiency and effectiveness.

The Audit Commission has determined these two criteria as those necessary for us to consider under the Code of Audit Practice in satisfying ourselves whether the Authority put in place proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2015.

We planned our work in accordance with the Code of Audit Practice. Based on our risk assessment, we undertook such work as we considered necessary to form a view on whether, in all significant respects, the Authority had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

Conclusion

On the basis of our work, having regard to the guidance on the specified criteria published by the Audit Commission in October 2014, we are satisfied that, in all significant respects, South Hams District Council put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2015.

Certificate

We certify that we have completed the audit of the financial statements of South Hams District Council in accordance with the requirements of the Audit Commission Act 1998 and the Code of Audit Practice issued by the Audit Commission.

Barrie Morris
 Director
 for and on behalf of Grant Thornton UK LLP, Appointed Auditor
 Hartwell House, 55-61 Victoria Street, Bristol, BS1 6FT

24 September 2015



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Report to: **Council**

Date: **8 October 2015**

Title: **Amendments to the Council's Procedure Rules regarding the dismissal of senior officers**

Portfolio Area: **Cllr S. Wright**

Wards Affected: **All**

Relevant Scrutiny Committee: **O&S Panel**

Urgent Decision: **N**

Date next steps can be taken: **8 October 2015**

Author: **Catherine Bowen** Role: **Community of Practice Lead Specialist (Legal) and Monitoring Officer**

Contact: Catherine.Bowen@swdevon.gov.uk

Recommendations:

- 1. That the Council amends its Procedure Rules and Officer Employment Rules in the Council's Constitution to give effect to the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ('the Regulations'). In particular:
 - a) the Head of Paid Service, Section 151 Officer and Monitoring Officer may only be dismissed by the Council**
 - b) when considering whether to dismiss any of the officers set out in a) above the Council must have regard to any view expressed by an Independent Panel****
- 2. That the Council's Independent Persons (appointed under the Localism Act 2011) are invited to be part of a Panel for the purposes of the Regulations**
- 3. That the Monitoring Officer amends the Constitution accordingly**

1. Executive summary

- 1) This report deals with the requirements set out in the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. The Regulations require the Council to amend its Constitution to incorporate the new arrangements for taking disciplinary action against the Council's statutory officers, namely Head of Paid Service, Section 151 Officer and Monitoring Officer.
- 2) The Regulations came into force on 11 May 2015 and require Councils to give effect to their content no later than the first ordinary Council meeting held after the May 2015 elections (i.e. its first ordinary meeting after the Annual Meeting).

2. Background

- 1) The Government has introduced regulations to change the way that Councils dismiss their statutory officers. The intention is to simplify and localise the statutory procedures.
- 2) The current procedures state that no disciplinary action in respect of a protected statutory officer can take place unless that action is in accordance with the recommendations of a report completed by a Designated Independent Person (DIP).
- 3) The Government's rationale for the change in procedures is that the existing DIP process is bureaucratic, time consuming and costly in terms of the appointment of a DIP, and also in terms of the inflated severance payments to such officers in order to avoid taking a costly DIP route.
- 4) As a result, the new Regulations require the final decision to dismiss any of the statutory officers to be made by the full Council provided that it has taken into account:
 - the views or recommendations of a Panel (see below)
 - the conclusions of any investigation into the proposed dismissal, and
 - any representations from the officer concerned.
- 5) The Council is required to invite at least two Independent Persons to be members of a Panel whose recommendations must be taken into account by the Council before taking any decision to dismiss a statutory officer. These are the Independent Persons who have been appointed for the purpose of the Council's standards regime under the Localism Act 2011 and the rationale is that the Panel will be comprised of people from the local area.
- 6) The Council is required to issue invitations to the Independent Persons in accordance with the following priority:
 - a) An Independent Person who has been appointed by the Council and who is a local government elector in the Council's area
 - b) Any other Independent Person who has been appointed by the Council
 - c) An Independent Person appointed by another Council

- 7) The Regulations provide little detail of how the new process will operate in practice and discussions continue between the Local Government Association and the Department of Communities and Local Government as to whether the Panel should comprise Independent Persons only or whether the Independent Persons should form part of a formal committee set up by the Council comprising at least 2 Independent Persons in addition to Members of the Council. If the advice concludes that the Council must set up a Panel as a Committee, then the matter will be brought back before Members.
- 8) In terms of reducing the costs of the procedure the changes in the new Regulations seeks to address this by providing that the Independent Person's remuneration must not exceed the level paid to such a person in his/her role as an Independent Person for the Code of Conduct regime (currently £500 per Independent Person per annum).

3. Proposed Way Forward

- 1) The recommendation is for the Council to adopt, formally, the requirements set out in the Regulations
- 2) The Council's Constitution will be amended accordingly together with the Council's disciplinary and grievance procedure.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The changes to the Council's procedures are mandatory and required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015. Only the Council can make changes to the Council's procedure rules. Following approval by the Council, the Monitoring Officer will amend the Constitution accordingly.
Financial	Y	The Financial implications for the appointment of such a Panel are limited to the level of remuneration that they receive as an Independent Person appointed as part of the standards regime under the Localism Act 2011. This is currently £500 per Independent Person per annum.
Risk	Y	This is a mandatory requirement imposed through the above Regulations and failure to amend its Constitution accordingly will mean that the Council will be in breach of its statutory obligations

Comprehensive Impact Assessment Implications		
Equality and Diversity	N	
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Supporting Information

Appendices: None

Background Papers: None

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	Yes/No

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
27 MAY 2015**

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
Cllr Tucker

Item No	Minute Ref or App. No. below refers	Officers in attendance and participating
All agenda items		Development Manager, Planning Officers, Solicitor and Member Services Manager

DM.1/15 MINUTES

The minutes of the meeting of the Committee held on 15 April 2015 were confirmed as a correct record and signed by the Chairman.

DM.2/15 DECLARATIONS OF INTEREST

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

DM.3/15 PUBLIC PARTICIPATION

The Chairman proceeded to announce that the following members of the public had registered their wish to speak at the meeting:-

- **18/2312/14/F:** Objector – Mr John Littman: Supporter – Mr Brian Stoddart: Change of use of boathouse/workshop/sail loft to self contained dwelling – Proposed dwelling at SX 8656 5484, The Lane, Dittisham

DM.4/15 SITE INSPECTIONS

There were no site inspections to report.

DM.5/15 PLANNING APPLICATIONS

The Planning Case Officers submitted details of the planning applications as presented in the agenda papers.

During discussion of the planning applications, the following motions (which were in contradiction to the planning officer recommendation in the published agenda report), were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- a) In respect of application **18/2312/14/F**: Change of use of boathouse/workshop/sail loft to self contained dwelling – Proposed dwelling at SX 8656 5484, The Lane, Dittisham, the Case officer outlined the application with plans, elevations and photographs. The main issues were the principle of development, residential amenity and highway safety. The proposal was recommended for refusal on the grounds of highway safety. Members asked detailed questions in relation to distances along the lane and the width, and also whether the property had been used for its original purpose. The Ward Member commented that he disagreed with the Highway Officer comments and supported the application, however he also shared the view of the neighbour in relation to overlooking.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **LOST**:-

‘That the application be approved with an additional condition relating to agreement over boundary treatments’.

Members also raised concerns over light pollution, and after some discussion the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

‘That the application be approved with an additional condition relating to agreement over boundary treatments and an additional condition relating to addressing light pollution by using screens over rooflights’.

Reasons for Conditional Approval:

The Highways Officer comments were not applicable as the access was suitable to serve a single bedroom unit due to its proximity to the junction.

DM.6/15 **PLANNING APPEALS UPDATE**

The Development Manager updated Members on the detail of the listed appeals.

(Meeting commenced at 2.00 pm and concluded at 3:10 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 27 May 2015

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
18/2312/14/F	Proposed dwelling at SX 8656 5484, The Lane, Dittisham	Approval (without additional condition re lighting)	Cllrs Pearce, Steer (2)	Cllrs Bramble, Brazil, Cuthbert, Foss, Hodgson, Holway, Rowe, Vint (8)	Cllr Cane (1)	Cllr Hitchins (1)
18/2312/14/F	Proposed dwelling at SX 8656 5484, The Lane, Dittisham	Approval (with additional condition re lighting)	Cllrs Bramble, Brazil, Cuthbert, Foss, Hodgson, Holway, Rowe, Vint (8)	Cllrs Cane, Pearce, Steer (3)	(0)	Cllr Hitchins (1)
14/0219/15/AD	Totnes Congregation of Jehovah's Witnesses, Kingdom Hall, Dartington	Approval	Cllrs Bramble, Brazil, Cane, Cuthbert, Foss, Holway, Pearce, Rowe, Steer (9)	Cllrs Hodgson, Vint (2)	(0)	Cllr Hitchins (1)
15/0525/15/DC	Garages adj to 3 Sandquay Road, Dartmouth	Approval	Cllrs Bramble, Brazil, Cane, Cuthbert, Foss, Hodgson, Holway, Pearce, Rowe, Steer, Vint (11)	(0)	(0)	Cllr Hitchins (1)

APPENDIX A

REF NO. 18/2312/14/F

Description etc. **Change of use of boathouse/workshop/sail loft to self contained dwelling**

Parish or Town Council - Dittisham

Parish Council's Views – No Objections

Officer Update – None

Recommendation – Refusal

Recommended Conditions - N/A

Committee Decision – Approval subject to conditions:

- Time Limit
 - Accord with plans
 - Details of boundary treatments
 - Screening to rooflights
-

Ref No. 14/0219/15/AD

Description etc. **Advertisement consent for erection of 4no. information fascia signs.**

Parish or Town Council – Dartington

Town Council's Views – Objection

Officer Update – None

Recommendation – **Conditional Approval**

Recommended Conditions

Commencement, Standard advertisement conditions (must be kept clean and tidy; must be kept in a safe condition; must have the permission of the owner of the site on which they are displayed (this includes the Highway Authority if the sign is to be placed on highway land); must not obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport; must be removed carefully where so required by the planning authority

Committee Decision – Approve

REF NO. 15/0525/15/DC

DESCRIPTION ETC Erection of community greenhouse pursuant to condition 8 of planning approval 15/1080/14/DC Car park and community greenhouse

Parish or Town Council – Dartmouth Town Council

Parish Council Views – Recommended Approval

Officer Update - None

Recommendation – Conditional Approval

Recommended Conditions:

- Standard Time Limit
- Accord with plans

Committee Decision – Approve

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 4 JUNE 2015**

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

Members in attendance and participating
Cllrs H D Bastone, I Bramble, R D Gilbert, J M Hodgson, T R Holway, J A Pearce, R C Steer, R J Tucker, R J Vint, L A H Ward, S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Services) and Senior Specialist – Democratic Services
7	O&S.5/15	Community Of Practice Lead for Assets

O&S.1/15 WELCOME

The Chairman welcomed all Members, officers, public and press who were in attendance at the inaugural meeting of the Overview and Scrutiny Panel.

O&S.2/15 DECLARATIONS OF INTEREST

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

O&S.3/15 OVERVIEW AND SCRUTINY PANEL – TERMS OF REFERENCE

In consideration of the Panel's Terms of Reference, a Member wished to repeat his previously raised view that the position of Panel Chairman should be allocated to a Member of the Opposition Group.

It was then:

RESOLVED

That the Terms of Reference be noted.

O&S.4/15 PUBLIC FORUM

In accordance with the Public Forum procedure rules, no items were raised at this meeting.

O&S.5/15 DARTMOUTH INDOOR POOL

At the invite of the Chairman, Sir Geoffrey Newman and Messrs David Shaw and George Hardy were in attendance to represent the Dartmouth and District Indoor Pool Trust. In light of a report on the Pool being scheduled for consideration at the Executive meeting on 18 June 2015, the Trust representatives had been invited to respond to Member questions.

In their introduction, the Trust representatives firstly welcomed the opportunity to address the Panel and also wished to apologise for the conduct shown by some supporters before the Annual Council meeting on 21 May 2015.

A number of questions had been submitted by Members to the Trust in advance of the meeting (as outlined at Appendix A). However, before responding to these questions, the representatives emphasised the need (and the extent of local support) for the indoor pool and stated that it was the view of the Trust that it had complied with all of the conditions associated with the Council's original grant offer.

The representatives proceeded to respond to the advanced questions and, in so doing, made particular reference to:-

- (a) the construction price. Members were informed that a fixed price contract was in place with a construction company up until 3 July 2015. If this deadline was not met, the construction company had estimated that the price of works would increase by between £70,000 and £100,000, thereby making the project unaffordable to the Trust. When questioned, officers advised that, even when considering the cost of inflation in the construction industry, there was still a lack of clarity in relation to the exact costs of any delay from July to September.

The Trust acknowledged that the fixed price contract did not cover any additional risks (e.g. adverse weather delaying construction works or asbestos being discovered on-site). As a consequence, the Trust had raised and set aside a contingency budget of £75,000 to cover any additional costs outside of the contract.

For specific design reasons (e.g. the use of straight beams and the Plant Room being built outside of the main building), the Trust was confident that the pool could be constructed for £1 million less than Sport England estimates.

Whilst the representatives informed that the specification was recognised as being 'fit for purpose', the Panel invited the lead officer to comment. In so doing, the officer confirmed that the specifications were indeed 'fit for purpose', however, it was recognised as being best practice for swimming pools to be built above Building Control specifications, thereby increasing the initial cost of construction to reduce ongoing running and repair and maintenance costs. Furthermore, the specifications did not comply with Sport England standards and the brand of Boiler to be used had still to be defined;

- (b) the Business Case. Through a combination of public revenue subsidies (e.g. Dartmouth Town Council, who had offered to provide £10,000 for 10 years and Dartmouth Academy and four local primary schools) and volunteer fundraising (£173,000 had been raised towards the project since 2010), the Trust was very confident that it could more than adequately deal with revenue budget pressures.

In alluding to examples with the Flavel Centre and Dartmouth Caring, the Trust was equally confident that there would be plentiful numbers of volunteer staff available to support the operational business model.

The representatives also made reference to the comments of the Council's then Strategic Director (Community), who had confirmed his view that the business plan appeared to be a well researched document. At the request of the Panel, it was agreed that this letter would be circulated to all Members.

Members were advised that two versions of the business case had been produced – one version being considered as the most accurate estimate, with the other version being based upon a worst case scenario. In its conclusions, the Trust was confident that the Pool could still operate on a break even position in the worst case scenario.

The representatives confirmed that the Trust could not run the Leisure Centre and the Pool because it did not have the expertise and it would not therefore be able to submit a bid during the tendering exercise. In addition, it had always been the assumption of the Trust that it would either run the pool itself or a leisure provider would run it for the Trust under a contractual arrangement (which was the preferred option for the Trust).

The Trust recognised that the lack of a physical link between the Leisure Centre and the pool was an issue, but that this was a decision which had been taken based upon the consequent additional costs of constructing a corridor.

In the ensuing discussion, reference was made to:-

- (i) the risk of being able to afford to run the Pool in the future. The Panel was informed that one of the main benefits of including the Pool in the wider leisure review was that guarantees would be included in the tender exercise in respect of being able to meet ongoing revenue cost pressures. With regard to ongoing revenue costs, a number of Members wished for it to be recorded that the Council would not provide any revenue funding to this project beyond its capital commitments;
- (ii) contributions from other public sector agencies. A Member expressed his concern that neither the health or education sector were contributing any monies towards the capital costs of the project;
- (iii) the enthusiasm shown by the Trust. Some Members were full of admiration for the Trust, but did question what measures of succession planning were in place to ensure that the Trust had a sufficient number of volunteers (and expertise) in the future. In response, the representatives expressed their confidence that the Trust would always have sufficient capacity to operate;
- (iv) the land being Council owned. As a consequence, the Panel acknowledged that the Council would be liable should either the revenue funding run out or the Trust be disbanded;
- (v) the expectations of the local community. The view was expressed that local expectations had been raised by the Council and it would therefore not be a credible course of action to hold off from allocating the grant before the 3 July 2015 deadline. The Chairman commented that the Executive would have to reach a decision on the issue of grant timing, however, in doing so it should be mindful of the commitment already given to the Dartmouth community by this Council.

It was then by a vote of seven in favour, with two against and one abstention:

RECOMMENDED

That the Executive be **RECOMMENDED**:-

1. to continue with the original intention to grant £400,000 towards the construction of the Indoor Pool; and
2. that the Council should not be liable to any ongoing revenue costs associated with the project.

O&S.6/15 EXECUTIVE FORWARD PLAN

With regard to the most recently published Forward Plan, the following points were raised:-

- (a) The Chairman made reference to the Devon Home Choice and Local Allocations Policy Review, which was scheduled to be considered by the Executive at its meeting on 10 September 2015. The Chairman informed that he was exercising his discretion to schedule an update on this item to be made to the Panel meeting on 27 August 2015;
- (b) The Chairman also confirmed that it was his intention for the Panel to have the opportunity to consider the draft 2016/17 Budget setting proposals at its meeting on 19 November 2015 (e.g. before the Executive meeting on 10 December 2015);
- (c) A non-Panel Member queried whether consideration of the Homeless Strategy (which was currently scheduled for presentation to the Executive at its meeting on 10 March 2016) could be brought forward to an earlier date. In reply, the Leader stated that he would consider bringing this agenda item forward to an earlier Executive meeting and would advise the Chairman of any revised date.

O&S.7/15 TRANSFORMATION PROGRAMME: PROGRESS UPDATE

The Executive Director (Service Delivery and Commercial Services) provided a verbal progress update on the Transformation Programme.

In the ensuing debate, specific reference was made to:-

- the main recent focus being on ensuring that the organisational structure was in place. In particular, it was noted that Phase 1(b) of the recruitment process had just gone live on 1 June 2015. As a consequence, it was acknowledged that, in light of the extent of the changes, there would be strains on certain services in the next few months. In expressing his concerns, a Member felt that the public had a right to instant success and was unhappy at the number of senior experienced officers who had been allowed to leave the employ of the council at the same time;
- the importance of Members being kept abreast of senior officer contact details. Officers realised the importance of this point and had published and circulated an organisational structure chart and contact details for the Senior and Extended Leadership Teams;

- the number of unsuccessful members of staff during this phase of the Programme. When questioned, it was confirmed that a handful of staff had been unsuccessful and had left the organisation as a consequence. Moreover, an additional number had either been offered jobs at lower levels than their current salary or were unable to secure their preferred first choice role. It was noted that these staff members would be subject to 18 months pay protection and a Member requested that the Panel be informed of how many individuals this affected;
- the commendable work undertaken by the HR Specialists during this phase of the Programme;
- the high percentage of agency staff being employed by the Council. Some Members expressed their deep reservations at the current numbers of agency staff being employed and requested a thorough review into the costs and value for money of this trend. In reply, it was noted that the numbers had been high due to the Council being unable to fill any vacancies whilst staff were at risk of redundancy. Officers also highlighted that this would be an ongoing issue for the Panel to monitor and, since Phase 1(b) of the Programme had now been implemented, the Council should start to see a downward trend in numbers of agency staff;
- an all Member Briefing on the Programme, which had been scheduled to take place on Thursday, 25 June at 2.00pm.

O&S.8/15 **PERFORMANCE INDICATOR REPORT – QUARTER 4 (2014/15)**

The Panel considered a report that provided Members with information on the Key Performance Indicators at the end of Quarter 4 for 2014/15.

In discussion, the following points were raised:-

- (a) Officers highlighted the new agenda report format and confirmed that they would welcome any Member feedback (both positive and negative) on this new format;
- (b) Whilst officers stated that the average call answer time was improving, some Members cited examples which contradicted this belief. In reply, officers urged Members to make them aware of such instances;

- (c) Officers had spoken to a number of colleagues who were all experiencing similar issues in respect of recruiting planning officers. Nonetheless, officers were totally committed to improving service performance and were fully aware of the reputational issues associated with below average performance;
- (d) The Panel supported the officer suggestion whereby a Task and Finish Group review should be undertaken into the appropriateness of the performance indicators which were presented;
- (e) A non-Panel Member was of the view that the PIs relating to the Development Management (DM) service should be reported to the DM Committee in the first instance. In contrast, other Members disagreed with this view and felt that the Overview and Scrutiny Panel was tasked with reviewing the performance of the Council and its services;
- (f) When considering the current economic climate, a Member emphasised the importance of invoices being paid on time and hoped that this trend would improve.

It was then:

RESOLVED

1. That the Key Performance Indicators for Quarter 4 be noted;
2. That Members note the proposal for a Development Management Service Update to be presented to the Panel meeting on 17 September 2015;
3. That the Panel endorse a review being undertaken into the Performance Measures and welcome a report being presented back to Members in the autumn.

O&S.9/15 MEMBERS PROPOSAL FORM FOR POTENTIAL AGENDA ITEMS

Members were supportive of the proposal form being adopted and recognised the importance of the key objectives and outcomes sections of this document.

It was noted that nothing would be excluded from consideration and each submitted form would be reviewed by a Panel comprising of the Head of Paid Service and the Chairman and Vice-Chairman of the Panel.

It was then:

RESOLVED

That the Proposal Form be adopted as the means for submitting future agenda item requests.

O&S.10/15 OVERVIEW AND SCRUTINY MEMBER LEARNING AND DEVELOPMENT PLAN

The Panel supported the creation of a structured approach towards Learning and Development for Overview and Scrutiny Panel Members, which it was felt should be prominent throughout the wider Corporate Member Learning and Development Plan and should be resourced appropriately.

O&S.11/15 DRAFT ANNUAL WORK PROGRAMME 2015/16

The Panel considered its draft 2015/16 Work Programme and made the following additions and amendments:-

- (a) the establishment of a Dartmouth Lower Ferry Task and Finish Group. It was noted that Cllr Saltern would lead upon this review, with Cllrs Pennington and Pringle also serving on the Group. The importance of local Member involvement in this process was recognised and Cllr Saltern confirmed that he would ask Cllr Hawkins if he would wish to also become a Member of the Group;
- (b) the creation of a Performance Indicator review Task and Finish Group. Cllr Baldry confirmed his willingness to lead upon the Group, with Cllrs Blackler and Horsburgh supporting him in this review;
- (c) re-establishing the Waste Review Task and Finish Group. Some Members suggested that the Group should be re-established. In reply, the Chairman made it clear that he would establish the latest position regarding the outcomes of the former Waste Working Group and would then (if deemed appropriate) form a task and finish group on specific aspects of the Waste Review;
- (d) Our Plan. The Panel was informed that officers were currently developing the timeline for Member consideration of Our Plan. It was therefore felt to be inappropriate at this time for the Panel to commit to a definite date on its Work Programme to consider Our Plan;
- (e) the Community Safety Partnership being scheduled to attend the Panel meeting on 17 September 2015;
- (f) separating the Service Level Agreement monitoring reports on the CVS (Council for Voluntary Services) and the CAB (Citizens Advice Bureau). The Panel felt it was unhelpful for these reports to be considered at the same meeting and therefore requested that the CAB report be presented to its next meeting on 9 July 2015, with the CVS report being presented to the meeting on 27 August 2015;
- (g) the merits of inviting Coastguard representatives to a future meeting were recognised;

- (h) the Dispensations for dual-hatted Members agenda item being scheduled for consideration at the Panel meeting on 19 November 2015;
- (i) the Panel's annual report. The constitutional requirement to produce an annual report was recognised and it was suggested that a draft version should be presented to the meeting on 25 February 2016, with the final draft then being presented to the Panel meeting on 17 March 2016.

(Meeting started at 10.00 am and concluded at 12.45 pm).

Chairman

Appendix A

Dartmouth Indoor Pool – Member Questions Submitted in Advance

Construction Price:

Background – The anticipated cost of construction was £1.95M. The tendered price for the pool has come in at £2.17M. The contract type is “fixed price” but in reality, there is no such thing and the price may go up further during construction.

“Is the Trust sure that it can afford to build the pool, given the construction price is £200k more than anticipated?”

“What will the Trust do if something happens during the course of the construction which puts the price up?”

“Is there a contingency budget?”

“Given that Sport England estimates a 4 lane pool and learner pool should cost £3M, how have the trust achieved a pool for approx £1M less?”

“What impact will this lower cost have on ongoing running and repair and planned maintenance costs?”

Bond:

Background – The pool site is SHDC’s, and the Trust has limited finance. If the build ceases part way through SHDC end up with a half finished project on their land to either finish or remove. Normally this would be covered by a bond between the Trust and SHDC of 10% (£210,000). The Trust is unable to provide a bond as they have no assets to back it with. A surety of £75k from a private source has been offered, which is the best we can hope for.

“What indemnity or bond has the Trust offered to SHDC in case the Trust becomes insolvent during construction?”

Business Case:

Background – The Trust commissioned the ASA to provide a business case and then updated it 2013. It has been reviewed by our leisure experts RPT. The business case is predicated on a shared management model with the existing leisure centre, £20k of fund raising per annum and volunteer workers (in part). RPT raised significant risks with all of these:

“How will the Trust guarantee to be able to raise the required operational subsidy of £20k year on year, and what happens if they can’t?”

“The use of volunteer staff is a key part of the operational business model, that is probably achievable during summer months, but how will it be achieved during the winter?”

Background – A 3rd party is unlikely to be keen to operate with the high numbers of volunteers included in the business case:

“How does the Trust propose to balance the need for economies of scale and expertise brought by the operator with the financial pressure to use volunteers to make the business case stack up?”

“The current business case shows a reduced utilities and staffing cost compared with the 1st issue, as more realistic usage figures were used. However, staff and utilities costs are linked to opening hours, not usage numbers, so how is this justified?”

Background – It is our understanding that the Trust do not want to operate the pool and would like a 3rd party (preferably the Council’s facilities operator) to operate it on their behalf. In order for the operation to be able to be considered in the Council’s contract then it is necessary to engage with the market:

“Why is the Trust so reluctant for this engagement with the market? And more importantly why would they want to commit the public money that they have raised to build the pool without first getting the assurances from the potential operators that they will be able to operate it?”

“How will the shared management solution with the existing facility work in practice, is the Trust looking to a third party to run the pool? Is the lack of a physical link between the two buildings an issue in this regard?”

Timeline

Background – the Trust feel they have been fighting an uphill battle with SHDC all the way with the pool. In fact, the Trust only fulfilled the conditions of their grant when they got the final tender price for the build, which was in early May.

“Why does the Trust continue to imply that SHDC have always delayed this project, when getting a tendered price for construction was a condition of the grant, which was achieved only this month?”

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 18 JUNE 2015**

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

Also in attendance and participating		
Item 7	E.04/15	Cllrs Hawkins and Hodgson
Item 8	E.05/15	Cllrs Hodgson, May, Pearce and Vint
Item 9	E.06/15	Cllrs Pennington and Vint
Item 11	E.08/15	Cllrs Hodgson and Pearce

Also in attendance and not participating		
Cllrs Blackler, Bramble, Brown, Foss, Hitchins, Holway, Rowe, Steer and Wingate		

Officers in attendance and participating		
All items	Minute Ref	Executive Director (SJ), Executive Director (SH), Finance COP Lead and Senior Case Manager (KT)
Item 9	E.06/15	Group Manager Support Services and Group Manager Customer First
Item 7 & 11	E.04/15 & E.08/15	COP Lead Assets

E.01/15 MINUTES

The minutes of the meeting of the Executive held on 5 March 2015 were confirmed as a correct record and signed by the Chairman.

E.02/15 DECLARATIONS OF INTEREST

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

Cllr H D Bastone declared a disclosable pecuniary interest in item 7: 'Dartmouth Indoor Pool Update' (Minute E.04/15 below refers). He left the meeting during the discussion and debate on this item.

Cllr R D Gilbert declared a personal interest in item 11: 'Disposal of land at Trebble Park, Kingsbridge' (Minute E.08/15 below refers), by virtue of knowing residents who lived at Trebble Park. As a local Ward Member, he abstained from the vote on this item.

E.03/15 **PUBLIC QUESTION TIME**

In accordance with Executive procedure rules, it was noted that two public questions had been received. The questions and responses were as follows:

1. Question to Cllr Tucker from Mr Brian Boughton:

If Millwood Homes do not submit a more suitable planning application to South Hams Council, could the LDF site for 210 new homes in Dartmouth be lost to long term land banking?

Cllr Tucker responded that since the question had first been submitted prior to the local elections, the planning application had been refused and was now at appeal stage. The Planning Inspector's decision was awaited. In terms of landbanking, that was the privilege of the landowner and there was no intention to compulsorily purchase the land.

By way of a supplementary question, Mr Boughton asked how the Leader could reach the position of not compulsorily purchasing the land. The Leader responded that it was his personal view and, at the time of the consultation on the Local Development Framework, that was also the view of many Dartmouth residents. He concluded by confirming that Dartmouth councillors could bring a proposal to the Council at a later date.

2. Question to Cllr Bastone from Mrs Susan Hannis:

"Faced with possible reductions in housing association properties in the South Hams due to tenants exercising their 'right to buy', how do you plan to safeguard the current supply of social housing for rent and expand it to meet high local demand for affordable rented homes?"

Cllr Bastone responded that "we are in a state of uncertainty at this time about this proposal. It was announced during the run up to the election, which was followed up with the inclusion in the Queens Speech, no further details have as yet been given. I understand from our Housing Association partners that they are awaiting further details before responding. As a rural local authority with high house prices and low average wages, we are deeply concerned about any proposals that could undermine our valuable rented affordable housing stock. We are actively lobbying the Local Government Association and have written a letter outlining our concerns to the cabinet minister representing the Lords on Communities and Local Government. Our Local MP Dr Sarah Wollaston has been made aware of our feelings on this matter and how the policy could have negative unintended consequences for rural areas. She is suggesting to government, that caveats to the policy will be required in areas of outstanding natural beauty and where affordable housing supply is short, such as South Hams District Council".

By way of supplementary comments, Mrs Hannis stated that she was pleased to hear of the Council's concerns and added that there was an opportunity for people to provide their own affordable housing through Community Land Trusts and Eco housing schemes. Cllr Bastone responded that these were all matters to take forward within Our Plan.

E.04/15 **DARTMOUTH INDOOR POOL UPDATE**

Members were asked to consider a report that set out a number of options and sought authority to progress the matter of Dartmouth Indoor Pool.

The Leader introduced the report and advised that he was aware of the importance of this matter to the people of Dartmouth and the time and effort put into the project by the Trustees. He also thanked the Overview and Scrutiny Panel for its work (Minute O&S.5/15 refers).

He outlined his concerns to the Members, but added that the recommendation was clear and provided a way forward with no further expense to the Council.

The Deputy Leader noted concerns relating to the proposed school use and the impact that may have on future revenue. She hoped that the Trustees could use the energy and enthusiasm they had so far demonstrated to encourage footfall, and on the whole, supported the recommendation.

The Portfolio Holder for Support Services made a number of comments relating to the business case, the failure to meet Sport England specifications and the lack of a physical link to the existing leisure centre. He also noted that this was a superb community project that had raised significant sums of money and felt the recommendation should be supported.

Another Member **PROPOSED** an amendment to the published recommendation, which was subsequently **SECONDED**, and when put to the vote was declared **CARRIED**, to ensure that any land transfer be completed by 3 July 2015, in order to comply with the deadlines outlined in the presented agenda report.

A local Ward Member thanked the Executive for its comments and hoped that the Trustees and the officers had the capacity to ensure the required work was done within the specified deadlines. He noted that he had requested the release of s106 funds to be transferred to support the inclusion of a link between the Indoor Pool and the existing leisure centre. The Leader responded that this matter could be addressed at the next meeting of the Executive when the Capital Programme would be next discussed.

To conclude this item, the COP Lead for Assets confirmed that any land transfer would be based on the existing plans but that did not preclude further transfers at a later date.

RESOLVED

1. That the grant of £400,000 be paid to Dartmouth and District Indoor Pool Trust (DDIPT), with the land being transferred to Dartmouth Town Council or DDIPT along with it,

or, if the land transfer cannot be agreed by 3 July 2015,
2. That the drawdown of the grant to DDIPT be held until the initial market feedback on the operation costs of the future facility are received via the Leisure Review (est. September 2015) and any revenue funding deficit resolved.

E.05/15 WRITE OFF REPORT

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit up to the value of £5,000, written off by the S151 Officer under delegated authority, and for those debts in excess of £5,000 for which permission to write off had been sought.

The Lead Executive Member for Support Services introduced the report. The Finance COP Lead responded to questions relating to how overpayments arise and how, once written off, attempts were still made to recover outstanding monies. Members suggested that a report be tabled to a later meeting advising of sums recovered following them being written off.

Members also noted that the number of cases being written off had risen. The Leader stated that the increase in numbers reflected the economic climate and other Members suggested that central government should be lobbied to support authorities whose collection rates were being impacted as a result of austerity measures.

It was then:

RESOLVED

1. That in accordance with Financial Regulations, it be noted that the s151 Officer had authorised the write-off of individual South Hams District Council debts totalling £102,574.01 as detailed in Tables 1 and 2 of the presented agenda report.
2. That the write off of individual debts in excess of £5,000 as detailed in Table 3 of the presented agenda report be agreed.

E.06/15 REPORTS OF OTHER BODIES

RESOLVED

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

a) Overview and Scrutiny Panel – 4 June 2015

[Note: the recommendation arising from minute O&S.5/15 was dealt with under agenda item 7 – Minute E.04/15 above refers]

E.07/15 EXCLUSION OF PUBLIC AND PRESS

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.

E.08/15 DISPOSAL OF LAND AT TREBBLE PARK, KINGSBRIDGE

Members were asked to consider an exempt report that sought authority to progress the disposal of land at Trebble Park, Kingsbridge.

Following discussion, it was then:

RESOLVED

- 1 That the freehold disposal of the land (Roadway at Trebble Park, Kingsbridge) be approved as identified in Appendix 1 of the exempt agenda report;
- 2 That the principle that the Council receives a percentage share of the net land receipt of the 'K1' land for selling the land (under an Option Agreement) to either the adjoining land owner or subsequent purchaser of the land be approved; and
- 3 That authority be delegated to the Assets Community of Practice Lead in consultation with the Assets Portfolio Holder to conclude the legal and financial negotiations to complete an Option Agreement and any other legal documentation in this matter

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 29 JUNE 2015 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.10 am)

Chairman

**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 25 JUNE 2015**

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

Members also in attendance:
Cllrs H D Bastone, P W Hitchins, T R Holway, J A Pearce and S A E Wright

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Group Manager – Support Services, S151 Officer, Head of Devon Audit Partnership, Senior Specialist – Democratic Services, Specialist Auditor, Grant Thornton Audit Manager and Grant Thornton Engagement Lead

A.1/15 MINUTES

The minutes of the meeting held on 12 March 2015 were confirmed as a correct record and signed by the Chairman.

A.2/15 DECLARATIONS OF INTEREST

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

A.3/15 ANNUAL AUDIT FEE LETTER 2015/16

The Committee was presented with the Planned Audit Fee letter for 2015/16 from KPMG.

In discussion, reference was made to KPMG being the Council's newly appointed External Auditor for 2015/16. As a consequence, KPMG representatives would be in attendance from the Committee meeting on 24 September 2015 and there would be handover arrangements put in place with Grant Thornton.

It was then:

RESOLVED

That the report be noted.

A.4/15

AUDIT COMMITTEE UPDATE FOR SOUTH HAMS DISTRICT COUNCIL

A paper was considered that presented the matters which had come to the attention of Grant Thornton, which they believed required reporting to the Council.

In discussion, the following points were raised:-

- (a) The Committee recognised the associated difficulties of the Council being required in the future to close the accounts earlier in the year. In particular, it was noted that the Council would be more reliant on the use of estimates and the likelihood that Members would see an increase in adjustments during the audit process. Whilst officers would attempt to mitigate the impact of this change as far as possible by amending their internal processes, Members still felt that there would be resource implications upon the Council. Grant Thornton representatives informed that they had produced a paper illustrating best practice methods of mitigating the impact and they were happy to circulate this document;
- (b) Members highlighted the comments of the Grant Thornton governance survey that suggested that there remained a nationwide general dissatisfaction with the scrutiny process. In so doing, the Committee reiterated the comments of the Overview and Scrutiny Panel whereby there was a need for the Council to adopt a structured approach towards dedicated scrutiny training in its Learning and Development Plan (Minute O&S.10/15 also refers);
- (c) The Committee supported the suggestion whereby Grant Thornton should be asked to facilitate some Member Training on auditing the final accounts. It was also agreed that this session should be convened before the Committee considered the Statement of Accounts at its next meeting on 30 July 2015.

It was then:

RESOLVED

1. That the report be noted; and
2. That Grant Thornton be asked to facilitate a Member Training event on auditing the Final Accounts before 30 July 2015.

A.5/15

INTERNAL AUDIT ANNUAL REPORT 2014/15

A report that summarised the work undertaken by the Council's Internal Audit Team during 2014/15, reviewed the performance of the Internal Audit service and provided an audit opinion on the adequacy of internal control was considered by the Committee.

In its conclusion, the report confirmed that Internal Audit was able to provide reasonable assurance on the adequacy and effectiveness of the Authority's internal control framework.

In discussion, reference was made to:-

- (a) Dartmouth Lower Ferry. The Committee noted that a Task and Finish Group had been established by the Overview and Scrutiny Panel to undertake a review of the Lower Ferry. Furthermore, officers advised that the audit opinion of 'fair' was largely attributed to the previous ticketing system, which had since been superseded with the installation of a new electronic ticketing process;
- (b) the roles and responsibilities of the Internal Audit Service. For the benefit of new Committee Members, officers informed that the focus of an internal audit review was to focus on the risks as opposed to the outcomes. Following a debate, it was considered beneficial for future Internal Audit reports to include a brief summary statement of the objectives of each specific audit review. In addition, the Committee requested that it received a short report at its next meeting on 30 July, which summarised the roles, responsibilities and functions of the Council's Internal Audit Service;
- (c) the T18 Transformation Programme. In expanding upon the audit opinion of 'good', officers informed that this related to aspects including:
 - management being fully aware of the risks associated with the Programme;
 - project management plans being in place; and
 - appropriate means of problem-solving being in place.

Whilst accepting that there were individual issues with the Programme and some specific services, the Audit Opinion was based upon the overall project and the belief that adequate arrangements were in place to ensure the Programme journey continued. Finally, the lead Executive Member for Support Services confirmed that he was regularly meeting with the Group Manager – Support Services and he would provide the Committee with updates where appropriate.

It was then:

RESOLVED

1. That the internal audit opinion that the Council's systems contain a satisfactory level of internal control be noted;
2. That the satisfactory performance and achievements of the Internal Audit Team during 2014/15 also be noted;
3. That future Internal Audit reports include a brief summary statement of the objectives of each specific audit review; and
4. That a short report be presented to the next Committee meeting on 30 July 2015 which summarises the roles, responsibilities and functions of the Council's Internal Audit Service.

(Meeting commenced at 10.00 am and finished at 10.45 am)

Chairman

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
1 JULY 2015**

Members in attendance * Denotes attendance			
*	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 Brown, Hawkins, Hicks, Pennington, Smerdon and Tucker

Item No	Minute Ref or App. No. below refers	Officers in attendance and participating
All agenda items		Cop Lead Development Management, Planning Officers, Solicitor and Member Services Manager
	14/0142/15/F	Highways Authority Officer, Affordable Housing Officer

DM.7/15 MINUTES

The minutes of the meeting of the Committee held on 27 May 2015 were confirmed as a correct record and signed by the Chairman.

DM.8/15 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:

Cllrs Bramble, Cuthbert, Foss, Hitchins, Holway, Pearce, Rowe and Steer declared a personal interest in application **07/2752/14/VAR**: Variation of conditions (b) and (c) and removal of condition (d) of planning consent 07/0294/83/4 to allow all year occupation, lengthen times to stay on site to 6 months and to allow all year use to include on-site warden/security – Brixton Caravan and Camping Site, Steer Point Road, Brixton, by virtue of the applicant being a fellow Conservative Group Member of the Council. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr Cane declared a disclosable pecuniary interest in application **07/2752/14/VAR**: Variation of conditions (b) and (c) and removal of condition (d) of planning consent 07/0294/83/4 to allow all year occupation, lengthen times to stay on site to 6 months and to allow all year use to include on-site warden/security – Brixton Caravan and Camping Site, Steer Point Road, Brixton, by virtue of being the applicant and he left the meeting for the duration of this application;

Cllrs Bramble, Cane, Cuthbert, Foss, Holway, Pearce, Rowe and Steer declared a personal interest in application **04/0550/15/O**: Outline application (all matters reserved) for erection of single dwelling – The Beeches, Bickleigh Down Road, Roborough by virtue of the applicant being a fellow Conservative Group Members of the Council. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr Hitchins declared a disclosable pecuniary interest in application **04/0550/15/O**: Outline application (all matters reserved) for erection of single dwelling – The Beeches, Bickleigh Down Road, Roborough by virtue of being the applicant and he was absent from the meeting when this application was determined;

Cllrs Bramble, Foss, Pearce, Rowe and Steer declared a personal interest in application **30/1442/14/F**: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear by virtue of the objector being known to Members of the Totnes Conservative constituency. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr Cuthbert declared a personal interest in application **27_57/0923/15/F**: Construction of new dwelling and detached double garage with office accommodation over (resubmission of 27_57/1976/14/F) – Godwell House, Godwell Lane, Ivybridge by virtue of knowing the architect. She remained in the meeting and took part in the debate and vote thereon;

Cllr Vint declared a personal interest in application **23/0598/15/F**: Householder application for proposed extensions to rear and front of dwelling – The Linhay, Old Hazard Cottages, Harberton by virtue of the applicant being an acquaintance and he remained in the meeting and took part in the debate and vote thereon;

Cllrs R Rowe and B F Cane both declared a personal interest in the following applications by virtue of being respectively the Chairman and a Member of the South Devon AONB Partnership Committee within which the applications were sited. They remained in the meeting and took part in the debate and vote on each of these applications:-

- **11/0042/14/F – 11/0045/14/F**: Erection of agricultural buildings, associated dwelling, new access road and site office – Land at SX 707 456, Bantham Cross, Churchstow, Kingsbridge;
- **15/0138/15/F**: Demolish existing garages and reform as three garages with a loft apartment above – Garages adjacent 3 Sandquay Road, Dartmouth;
- **21_27/2754/14/VAR**: Variation of condition 2 of approval 21/2161/04/F to allow increase in the total floorspace devoted to the sale of certain goods – Endsleigh Garden Centre, Endsleigh, Ivybridge;
- **30/1799/14/F**: Erection of 2 no. flats with garages and parking – Plot to rear of Inglewood Cottages, Higher Contour Road, Kingswear. Cllr Rowe also declared a personal interest by virtue of the architect being known to her;

- **30/1442/14/F**: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear;

DM.9/15

PUBLIC PARTICIPATION

The Chairman proceeded to announce that the following members of the public had registered their wish to speak at the meeting:-

- **14/0142/15/F**: Objector – Ms Trudy Turrell: Supporter – Mr Steve Bottomley: Parish Council – Cllr Ashton Chadwick: Redevelopment of existing Brimhay Bungalows to provide 32 new dwellings and associated highway (12 no. 1 bed apartments, 12 no. market houses and 8 flats) – Development site at SX 7863 6192 Forder Lane, Dartington;
- **11/0042/14/F – 11/0045/14/F**: Objectors – Mr Richard Martin and Mr Tom Roche: Supporter – Mr Andrew Lethbridge: Parish Council – Cllr Roger Hind: Erection of agricultural buildings, associated dwelling, new access road and site office – Land at SX 707 456, Bantham Cross, Churchstow, Kingsbridge;
- **15/0138/15/F**: Objector – Mr Les Barnes: Supporter – Mr Simon French: Demolish existing garages and reform as three garages with a loft apartment above – Garages adjacent 3 Sandquay Road, Dartmouth;
- **21_27/2754/14/VAR**: Objector – Ms Pat White: Supporter – Mr Andrew Ayles: Parish Council – Cllr Roy Hartwell: Town Council – Cllr Sylvia Rutley: Variation of condition 2 of approval 21/2161/04/F to allow increase in the total floorspace devoted to the sale of certain goods – Endsleigh Garden Centre, Endsleigh, Ivybridge;
- **30/1799/14/F**: Objector – Mr William Searle: Supporter – Mr Paul Brinton: Erection of 2 no. flats with garages and parking – Plot to rear of Inglewood Cottages, Higher Contour Road, Kingswear;
- **07/2752/14/VAR**: Objector – Mr Dave Springbett: Supporter – Mrs Amanda Burden: Parish Council – Cllr Patrick Loxdale: Variation of conditions (b) and (c) and removal of condition (d) of planning consent 07/0294/83/4 to allow all year occupation, lengthen times to stay on site to 6 months and to allow all year use to include on-site warden/security – Brixton Caravan and Camping Site, Steer Point Road, Brixton;
- **30/1442/14/F**: Objector – Mr John Crozier: Supporter – Mr Mark Evans: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear;
- **27_57/0923/15/F**: Objector – Mrs Helen Harris: Supporter – Mr Ian Hodgson: Construction of new dwelling and detached double garage with office accommodation over (resubmission of 27_57/1976/14/F) – Godwell House, Godwell Lane, Ivybridge;
- **23/0598/15/F**: Supporter – Mrs Claire King-Smith: Householder application for proposed extensions to rear and front of dwelling – The Linhay, Old Hazard Cottages, Harberton;
- **34/0711/15/F**: Objector – Mrs Jacqueline Hunter: Supporter – Mr Tim Willcocks: Householder application for proposed rear single storey extension with flat roof – 18 Brockhurst Park, Marldon
- **34/0861/15/F**: Supporter – Mrs Carol Peakman: Householder application for raising of roof and roof extensions to provide first floor accommodation and alterations to existing windows – 39 Pembroke Park, Marldon.

DM.10/15 SITE INSPECTIONS

There were no site inspections carried forward from the meeting on 27 May 2015. Applications referred for site inspection at the meeting held on 15 April 2015 would be considered later on the agenda (Minute DM.11/15 refers).

DM.11/15 PLANNING APPLICATIONS

The Planning Case Officers submitted details of the planning applications as presented in the agenda papers.

During discussion of the planning applications, the following motions (which were in contradiction to the planning officer recommendation in the published agenda report), were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- a) In respect of application **14/0142/15/F**: Redevelopment of existing Brimhay Bungalows to provide 32 new dwellings and associated highway (12 no. 1 bed apartments, 12 no. market houses and 8 flats) – Development site at SX 7863 6192 Forder Lane, Dartington the Case Officer began by outlining the application and the areas to be covered within his presentation. He updated the Committee with clarification related to the Tree Preservation Order and confirmed that the Landscape Officer was satisfied with the submitted tree protection plan and landscape management plan. He also advised the Committee that an application had been received by Devon County Council for a public right of way, which ran through the application area. Until this was confirmed, the application for the public right of way had little weight. The District Council had also received a request for the open space around the site to be listed as an Asset of Community Value. Concerns had been raised relating to land ownership but this was not a material planning consideration. Dartington Hall Trust had sent a letter requesting that the application be deferred. Finally the community had discussed an alternative application and the Case Officer advised that their application was likely to receive support, however, a full application had not yet been received and there was a duty to determine the application that had been submitted on its own merits.

The Case Officer went on to outline the application in detail using plans and photographs. He concluded that, when assessed against planning policies, the application was appropriate and the recommendation was for conditional approval.

The local Ward Member stated her concerns in respect of the time allowed for the Committee site inspection. She noted that in terms of the design of the proposal there had been no guidance in the form of consideration by the Council's Design Panel, no Developer Forum and no discussions with her.

She raised concerns over the expectation on a new planning officer to pick up a case he was unfamiliar with and produce a good report that showed an understanding of the parish and also noted that she had not received a full viability assessment as requested. The proposal was felt to be out of character for the area and represented over massing and scale. The design was too dense and the Case Officer referred to an urban setting but this area was rural. She was concerned that residents would not meet each other if the footpath was rerouted, the parking would be removed, the properties were 'stuffed in' and that there were two Listed Buildings close by that had not been reflected in the application. She raised concerns over the access to the site, and also about the biodiversity implications. She also felt that the proposal reflected social injustice. However, there was a better, community led plan. She concluded that the Council had a duty to look at the best quality plans and needed to take a serious look at what was offered in terms of potential development for the area.

During discussion on the proposal, Members considered the height of the proposal, in comparison with existing buildings. They also sought clarification on whether the social housing was intended for local people. The Affordable Housing Officer confirmed that the Roc building was for people local to the South Devon area. One Member was disappointed that the applicant had alienated the local community. The percentage of affordable housing was acceptable, however the design did not suit the location in their opinion. This, along with the impact on the natural environment meant he was unable to support the application. Another Member felt that without a five year land supply there was not sufficient reason to refuse the application. One Member felt that the proposal reflected a segregated housing scheme and the affordable housing did not reflect the needs of the elderly and disabled and therefore he would not support it. The Ward Member concluded by asking the Committee to take a lead on good development and refuse the application.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **LOST**:-

'That the application be refused'

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

'That the application be conditionally approved in line with officer recommendation'.

- b) In respect of application **21_27/2754/14/VAR**: Variation of condition 2 of approval 21/2161/04/F to allow increase in the total floorspace devoted to the sale of certain goods – Endsleigh Garden Centre, Endsleigh, Ivybridge, the Case Officer advised the Committee that the presented report contained the detail of the proposal. The Committee was also advised of changes in legislation relating to additional rights relating to change of use but that changes could not take place without an application being made.

During discussion, Members queried whether a quantitative assessment had been undertaken of the current retail area. Members also asked how it would be possible to enforce any condition on the area allowed for non garden centre retail without conducting a 'tape measure' exercise.

Local Ward Members supported the view of their respective parish and town council and were concerned that the proposal would have a detrimental impact on the town centre. Other Members felt there was no planning justification for refusal of the application. The COP Lead Specialist Development Management drew the distinction between interference in the free market and preserving the vitality of town centres. Another Member felt it would be appropriate to retain the existing conditions in order to support the local businesses.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

'That the application be refused'

Reasons:

The proposal to increase floor area of non garden centre related goods and relaxation of retail floor limits for individual uses would harm the vitality and viability of Ivybridge Town Centre and as such would be contrary to Chapter 2 of the National Planning Policy Framework and Policy SHDC 23 of the South Hams Local Plan.

- c) In respect of application **30/1442/14/F**: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear it was **PROPOSED**, **SECONDED** and on being put to the vote **CARRIED**:

'That a site inspection be held'

- d) In respect of application **23/0598/15/F**: Householder application for proposed extensions to rear and front of dwelling – The Linhay, Old Hazard Cottages, Harberton, the Case Officer began by advising the Committee that there was one late letter of support which had been received stating that the proposal was appropriate and not visible to anyone other than the immediate neighbours.

Plans and elevations were then shown to explain the proposal. The Case Officer noted that the front extension included a lot of glazing and would obscure the existing barn conversion. The glazing would significantly alter the rural character and the rear extension would dominate the appearance. On balance, there would be significant detrimental impact and the proposal was contrary to Policy. For that reason, she was recommending refusal.

The local Ward Member advised the Committee that this proposal was an exception to the rule. The property was only visible to immediate neighbours other than through a small gap, and there was neighbour and parish council support. The original barn conversion had been undertaken many years ago, and it could be argued that the character was lost with the conversion.

During discussion, a number of Members agreed with this view, and also that policies should provide guidance rather than a hard and fast rule. Members generally felt that the officer was right to recommend refusal, and also noted that a more modest proposal may have been more appropriate, however, in view of the community support the proposal should be supported.

It was then **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED** that the application be conditionally approved.

Reasons:

The proposal site was an early barn conversion and the character had already been lost. The proposed extensions would not detrimentally change the character.

Conditions:

Accord with Plans
Standard time
Materials
Accord with Ecology Report

DM.12/15 **PLANNING APPEALS UPDATE**

The COP Lead for Development Management updated Members on the detail of the listed appeals.

(Meeting commenced at 10.00 am and concluded at 6:50 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 1 July 2015

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
14/0142/15/F	Development site at SX 7863 6192, Forder Lane, Dartington	Refusal	Cllrs Hodgson, Cane, Brazil, Vint (4)	Cllrs Bramble, Cuthbert, Foss, Pearce, Holway, Rowe, Hitchins, Steer (8)		
14/0142/15/F	Development site at SX 7863 6192, Forder Lane, Dartington	Conditional Approval	Cllrs Bramble, Cuthbert, Foss, Pearce, Holway, Rowe, Hitchins, Steer (8)	Cllrs Hodgson, Cane, Brazil, Vint (4)		
11/0042/14/F	Land at SX 707 456, Bantham Cross, Churchstow	Conditional Approval	Cllrs Cane, Hitchins, Holway, Cuthbert, Vint, Brazil, Steer, Foss (8)	Cllrs Rowe, Pearce, Bramble, Hodgson (4)		
11/0043/14/F	Land at SX 707 456, Bantham Cross, Churchstow	Conditional Approval	Cllrs Cane, Hitchins, Holway, Cuthbert, Vint, Brazil, Steer, Foss (8)	Cllrs Rowe, Pearce, Bramble, Hodgson (4)		
11/0044/14/F	Land at SX 707 456, Bantham Cross, Churchstow	Conditional Approval	Cllrs Cane, Hitchins, Holway, Cuthbert, Vint, Brazil, Steer, Foss (8)	Cllrs Rowe, Pearce, Bramble, Hodgson (4)		
11/0045/14/F	Land at SX 707 456, Bantham Cross, Churchstow	Conditional Approval	Cllrs Cane, Hitchins, Holway, Cuthbert, Vint, Brazil, Steer, Foss (8)	Cllrs Rowe, Pearce, Bramble, Hodgson (4)		
15/0138/15/F	Garages adj to 3 Sandquay Road, Dartmouth	Conditional Approval	Cllrs Cane, Hitchins, Holway, Cuthbert, Vint, Brazil, Steer, Foss, Rowe, Pearce, Bramble, Hodgson (12)			
21_27/2754/14/ VAR	Endsleigh Garden Centre, Endsleigh, Ivybridge	Conditional Approval	Cllrs Steer, Bramble, Rowe, Pearce, Cane (5)	Cllrs Holway, Cuthbert, Vint, Hodgson, Brazil, Foss (6)	Cllr Hitchins (1)	

21_27/2754/14/ VAR	Endsleigh Garden Centre, Endsleigh, Ivybridge	Refusal	Cllrs Holway, Cuthbert, Vint, Hodgson, Brazil, Foss (6)	Cllrs Steer, Bramble, Rowe, Pearce, Cane (5)	Cllr Hitchins (1)	
30/1799/14/F	Plot to rear of Inglewood Cottages, Higher Contour Road, Kingswear	Conditional Approval	Cllrs Steer, Foss, Bramble, Pearce, Rowe, Cane, Holway, Cuthbert, Hitchins, Hodgson, Vint (11)		Cllr Brazil (1)	
07/2752/14/VAR	Brixton Caravan and Camping Site, Steer Point Road, Brixton	Conditional Approval	Cllrs Bramble, Pearce, Rowe, Hodgson, Steer, Holway (6)	Cllrs Cuthbert, Vint, Brazil, Foss (4)	Cllr Cane due to DPI (1)	Cllr Hitchins (1)
30/1422/14/F	The Anchorage, Redoubt Hill, Kingswear	Site Inspection	Cllrs Foss, Steer, Hodgson, Holway, Rowe, Cuthbert, Cane, Bramble, Vint (9)	Cllrs Pearce, Brazil (2)		Cllr Hitchins (1)
27_57/0923/15/F	Godwell House, Godwell Lane, Ivybridge	Conditional Approval	Cllrs Pearce, Holway, Cuthbert, Vint, Foss, Steer (6)	Cllr Cane, Bramble, Hodgson (3)	Cllr Brazil (1)	Cllrs Hitchins, Rowe (2)
34/0550/15/O	The Beeches, Bickleigh Down Road, Roborough	Conditional Approval	Cllrs Pearce, Holway, Cuthbert, Vint, Foss, Steer, Cane, Bramble, Brazil (9)			Cllrs Hitchins, Rowe, Hodgson (3)
23/0598/15/F	The Linhay, Old Hazard Cottages, Harberton	Conditional Approval	Cllrs Holway, Vint, Foss, Steer, Cane, Bramble, Brazil (7)	Cllr Cuthbert (1)	Cllr Pearce (1)	Cllrs Hitchins, Rowe, Hodgson (3)
34/0711/15/F	18 Brockhurst Park, Marldon	Conditional Approval	Cllrs Holway, Vint, Foss, Steer, Cane, Bramble, Cuthbert, Pearce (8)			Cllrs Hitchins, Rowe, Hodgson, Brazil (4)
34/0861/15/F	39 Pembroke Park, Marldon	Conditional Approval	Cllrs Holway, Vint, Foss, Steer, Cane, Bramble, Cuthbert, Pearce (8)			Cllrs Hitchins, Rowe, Hodgson, Brazil (4)

DRAFT APPENDIX A

14/0142/15/F

Redevelopment of existing Brimhay Bungalows to provide 32 new dwellings and associated highway. (12no. 1 bed apartments, 12no. market houses and 8 flats)

Parish or Town Council: Dartington

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

1. Standard time limit for commencement;
 2. Accord with Plans, Drawings and FRA;
 3. GPDO Exclusion;
 4. Unsuspected Contamination;
 5. On-site highway works in accordance with plans / drawings;
 6. Construction Management Plan to be submitted and approved prior to commencement;
 7. Construction Method Plan to be submitted and approved prior to commencement;
 8. Phasing Plan to be submitted and approved prior to commencement;
 9. Surface water drainage layout and details to be submitted prior to commencement and the approved details completed and operational prior to occupation;
 10. Adherence to the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Methodology Statements;
 11. Submission, prior to commencement, of a Lighting Strategy;
 12. Renewable energy / energy efficiency details to be submitted and approved prior to commencement;
 13. Submission and agreement, prior to commencement, of a Landscape and Ecological Management Plan.
 14. Copy of a Dormouse European Protected Species Licence.
 15. Adherence to measures within Preliminary Ecological Appraisal, and Bat Activity Survey Report.
-

11/0042/14/F

Description etc. Erection of agricultural building (No1, washing), associated dwelling, new access road and site office. Resubmission of planning ref 11/1547/13/F

Parish or Town Council: Churchstow Parish Council

Parish Council's Views: Objections

Officer Update – additional landscaping condition to secure planning to provide greenery all year round and annual inspections for the first 5 years after completion

Recommendation – Officer Recommendation for approval

Conditions:

1. Standard 3 year time limit;
2. Accord with plans;
3. Level of buildings;
4. Use limited to produce washing and grading only no other B2 use
5. B2 use to be ancillary to agricultural use only
6. Surface water drainage;
7. Drainage accord with approved details and implemented prior to commencement of use;
8. Foul drainage;
9. Noise controls;
10. No mud/debris onto highway;
11. Permanent closure of existing access;
12. Construction Management Plan;
13. Details external lighting;
14. Landscaping – strategic planting;
15. Landscaping 1yr inspection;
16. Protection of hedgerows;
17. Submission of Extended Phase 1 habitat survey;
18. Access and manoeuvring/turning areas complete prior to use of agricultural buildings;
19. Materials schedule/samples;
20. Removal of GDO rights for agricultural/business buildings;
21. Site office for use in connection with business only;
22. Agricultural tie on dwelling;
23. Removal of GDO rights on dwelling;
24. Drainage for dwelling complete prior to occupation;
25. Access to dwelling complete prior to occupation.
26. Distribution of potatoes from site shall not be carried out between the hours of 2200 – 0800 Monday – Sunday

Plus landscaping condition as above

Committee Decision – Conditional approval

11/0043/14/F

Description etc. Erection of agricultural building (No.2, cold storage building). Resubmission of planning ref 11/1545/13/F

Parish or Town Council: Churchstow Parish Council

Parish Council's Views: Objections

Officer Update – landscaping condition to secure planning to provide greenery all year round and annual inspections for the first 5 years after completion

Recommendation – Officer Recommendation for approval

Conditions:

1. Standard 3 year time limit;
2. Accord with plans;
3. Level of buildings;
4. Use limited to produce washing and grading only no other B2 use
5. B2 use to be ancillary to agricultural use only
6. Surface water drainage;
7. Drainage accord with approved details and implemented prior to commencement of use;
8. Foul drainage;
9. Noise controls;
10. No mud/debris onto highway;
11. Permanent closure of existing access;
12. Construction Management Plan;
13. Details external lighting;
14. Landscaping – strategic planting;
15. Landscaping 1yr inspection;
16. Protection of hedgerows;
17. Submission of Extended Phase 1 habitat survey;
18. Access and manoeuvring/turning areas complete prior to use of agricultural buildings;
19. Materials schedule/samples;
20. Removal of GDO rights for agricultural/business buildings.
21. Distribution of potatoes from site shall not be carried out between the hours of 2200 – 0800 Monday - Sunday

Plus landscaping condition as above

Committee Decision – Conditional approval

11/0044/14/F

Erection of agricultural building (No3, cold store) Resubmission of planning ref 11/1546/13/F

Parish or Town Council: Churchstow Parish Council

Parish Council's Views: Objections

Officer Update – landscaping condition to secure planning to provide greenery all year round and annual inspections for the first 5 years after completion

Recommendation – Officer Recommendation for approval

Conditions:

1. Standard 3 year time limit;
2. Accord with plans;
3. Level of buildings;
4. Use limited to produce washing and grading only no other B2 use
5. B2 use to be ancillary to agricultural use only
6. Surface water drainage;
7. Drainage accord with approved details and implemented prior to commencement of use;
8. Foul drainage;
9. Noise controls;
10. No mud/debris onto highway;
11. Permanent closure of existing access;
12. Construction Management Plan;
13. Details external lighting;
14. Landscaping – strategic planting;
15. Landscaping 1yr inspection;
16. Protection of hedgerows;
17. Submission of Extended Phase 1 habitat survey;
18. Access and manoeuvring/turning areas complete prior to use of agricultural buildings;
19. Materials schedule/samples;
20. Removal of GDO rights for agricultural/business buildings.
21. Distribution of potatoes from site shall not be carried out between the hours of 2200 – 0800 Monday - Sunday

Plus landscaping condition as above

Committee Decision – Conditional approval

11/0045/14/F

Erection of agricultural building (No. 4, grading unit for potatoes) Resubmission of planning ref 11/1544/13/F

Parish or Town Council: Churchstow Parish Council

Parish Council's Views: Objections

Officer Update – landscaping condition to secure planning to provide greenery all year round and annual inspections for the first 5 years after completion

Recommendation – Officer Recommendation for approval

Conditions:

1. Standard 3 year time limit;
2. Accord with plans;
3. Level of buildings;
4. Use limited to produce washing and grading only no other B2 use
5. B2 use to be ancillary to agricultural use only
6. Surface water drainage;
7. Foul drainage;
8. Drainage accord with approved details and implemented prior to commencement of use;
9. Noise controls;
10. No mud/debris onto highway;
11. Permanent closure of existing access;
12. Construction Management Plan;
13. Details external lighting;
14. Landscaping – strategic planting;
15. Landscaping 1yr inspection;
16. Protection of hedgerows;
17. Submission of Extended Phase 1 habitat survey;
18. Access and manoeuvring/turning areas complete prior to use of agricultural buildings;
19. Materials schedule/samples;
20. Removal of GDO rights for agricultural/business buildings.
21. Distribution of potatoes from site shall not be carried out between the hours of 2200 – 0800 Monday - Sunday

Plus landscaping condition as above

Committee Decision – Conditional approval

15/0138/15/F

Demolish existing garages and reform as three garages with a loft apartment above

Parish or Town Council: Dartmouth TC

Town Council's Views:

Recommend refusal on the grounds of 1. Overdevelopment in a Conservation Area; 2. Unneighbourly; 3. Encroachment.

Officer Update – None

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional Approval.

Conditions:

Standard Time Limit
Accord with Plans
Unsuspected Contamination
Universal Contaminated Land
Verification Report (Contamination)
Materials (including timber finish and natural slate)
Drainage
Garage Doors
Natural Stonework

21_27/2754/14/VAR

Variation of condition 2 of approval 21/2161/04/F to allow increase in the total floorspace devoted to the sale of certain goods

Parish or Town Council: Ermington PC / Ivybridge TC

Ermington Parish Council: Objection

Ivybridge Town Council: Objection

Officer Update – None

Recommendation – Officer Recommendation for approval

Reason for Refusal: The proposal to increase floor area of non garden centre related goods and relaxation of retail floor limits for individual uses would harm the vitality and viability of Ivybridge Town Centre and as such would be contrary to Chapter 2 of the National Planning Policy Framework and Policy SHDC 23 of the South Hams Local Plan.

Committee Decision – Refusal

30/1799/14/F - Plot to rear of Inglewood Cottages, Higher Contour Road, Kingswear, TQ6 0AT

Erection of 2no. flats with garages and parking

Parish or Town Council: Kingswear

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

1. Time limit
 2. Accord with plans
 3. Final details (to be agreed prior to residential occupation of Flat 1) and obscure glazing to windows to NE1, NE2, SW1 and SW2
 4. Details of privacy screen, to be installed prior to residential occupation of Flat 1
 5. Fence to be installed prior to residential occupation of Flat 2
 6. Timing of works outside bird nesting season
 7. Development in accordance with Ecological Appraisal
 8. Works in accordance with agreed Arboricultural Impact Assessment and Arboricultural Method Statement
 9. Submission of and implementation of landscape scheme
 10. Unsuspected contamination
-

07/2752/14/VAR

Variation of conditions (b) and (c) and removal of condition (d) of planning consent 07/0294/83/4 to allow all year occupation, lengthen times to stay on site to 6 months and to allow all year use to include on-site warden/security

Parish or Town Council: Brixton

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

- Time limit for commencement
 - In accordance with plans
 - Only to be used for holiday/tourist/short term residential visitor purposes and a visitors register to be kept
 - Warden accommodation solely occupied by the site warden and not for holiday accommodation or other residential purposes.
 - No caravan storage to take place at any time.
 - Outside of the period 15th November to 15th March only the northern field (as shown on the site plan received on 3/3/2015) shall be used, and for no more than twenty (20) caravans at any one time.
 - The northern part of the site (as shown on the site plan submitted by P Daw on 3/3/2015) may, for a period not exceeding two years from the date of this decision be used for short-term occupancy, with no one occupant exceeding a six months stay within any a 12 month period.
 - Touring caravans only and no statics
 - No pedestrian or vehicle access to the Class I road.
 - Landscaping
-

30/1422/14/F

Erection of a single two storey dwelling and separation of part of garden - The Anchorage, Redoubt Hill, Kingswear, Dartmouth TQ6 0DA

Parish or Town Council: Kingswear

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

Time limit for commencement
In accordance with approved plans
Permitted development restrictions
Materials to be agreed
Unsuspected contamination condition
Details of foul and surface water drainage

27_57/0923/15/F

Construction of new dwelling and detached double garage with office accommodation over
(resubmission of 27_57/1976/14/F) - Godwell House, Godwell Lane, Ivybridge, PL21 0LT

Parish or Town Council: Ivybridge Town Council's Views: Objection

Parish or Town Council: Ugborough Parish Council's Views: No Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

Standard 3 year time limit
Accord with plans
Accord with details of submitted arboricultural assessment and associated plan
Foul water drainage details prior to commencement of development
Surface water drainage details prior to commencement of development
Landscape design proposals prior to commencement of development
Retention of parking for motor vehicles
Office use to remain ancillary to dwelling
Restrictions of Permitted Development Rights
Obscure glass in first floor window on western elevation
No use of the flat roof as amenity area
Unsuspected contamination

04/0550/15/O

Outline application (all matters reserved) for erection of single dwelling –
The Beeches, Bickleigh Down Road, Roborough, Plymouth, PL6 7AD

Parish or Town Council: Bickleigh

Parish Council's Views: Approval

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

Time limit condition

Accord with plans

No development until reserved matters approved

Unsuspected contamination

Drainage condition – sewage further details prior to commencement of development

Drainage condition – soakaway further details prior to commencement of development

Landscape plan prior to commencement of development

Trees – submission of details – prior to the commencement of development

23/0598/15/F

Householder application for proposed extensions to rear and front of dwelling

The Linhay, Old Hazard Cottages, Harberton, TQ9 7LN

Parish or Town Council: Harberton

Parish Council's Views: No objection

Officer Update –

Recommendation – Officer Recommendation for refusal

Committee Decision – Conditional approval

Conditions:

Accord with Plans

Standard time

Materials

Accord with Ecology Report

34/0711/15/F

Householder application for proposed rear single storey extension with flat roof
18 Brockhurst Park, Marldon, Paignton, TQ3 1LB

Parish or Town Council: Marldon

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

Time

Accords with plans

Materials to match existing

No windows to be inserted in north and south elevations

Fencing not to exceed 1.8 m in height above existing ground level except where it lies adjacent to the deck, where the height shall be 1.8m from the finished floor level of the deck.

Informative – SW Water

Informative – Party Wall Act

34/0861/15/F

Householder application for raising of roof and roof extensions to provide first floor accommodation and alterations to existing windows

39 Pembroke Park, Marldon, Paignton, TQ3 1NL

Parish or Town Council: Marldon

Parish Council's Views: Objection

Officer Update –

Recommendation – Officer Recommendation for approval

Committee Decision – Conditional approval

Conditions:

Time

Accordance with plans

Materials to match

Side facing velux windows to be obscure glazed

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 9 JULY 2015**

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

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

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service and Senior Specialist – Democratic Services
9	O&S.17/15	Lead Specialist – Place and Strategy; South Hams CAB Manager and South Hams CAB Vice-Chairman
10	O&S.18/15	Executive Director (Service Delivery and Commercial Services) and Group Manager – Support Services
11	O&S.19/15	Group Manager – Support Services and Group Manager – Customer First
12	O&S.20/15	Group Manager – Commercial Services

O&S.12/15 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 4 June 2015 were confirmed as a correct record and signed by the Chairman.

O&S.13/15 DECLARATIONS OF INTEREST

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

Cllr J D Hawkins declared a personal interest in Item 9: 'Monitoring Report on South Hams Citizens Advice Bureau Service Level Agreement' (Minute O&S.17/15 below refers) by virtue of the South Hams CAB Vice-Chairman being a fellow member of the Dartmouth Food Bank Committee and remained in the meeting and took part in the debate and vote thereon.

O&S.14/15 PUBLIC FORUM

In accordance with the Public Forum procedure rules, no items were raised at this meeting.

O&S.15/15 EXECUTIVE FORWARD PLAN

With regard to the most recently published Forward Plan, it was agreed that the Leader would consult with the Chairman outside of the meeting to establish whether it was feasible to bring forward the Homeless Strategy (which was currently scheduled for presentation to the Executive at its meeting on 10 March 2016) to an earlier date.

O&S.16/15 MARITIME AND COASTGUARD AGENCY UPDATE

The Chairman advised the Panel that, subsequent to the meeting agenda being published, the Coastal Operations Divisional Commander had since submitted her apologies due to operational reasons.

The Chairman proceeded to read out the advanced questions which had been received by Members and sent on to the Commander (as outlined at Appendix A). In so doing, the Chairman also made reference to the considerable safety concerns which were being raised in these questions and confirmed it was his intention to write to the Commander to invite her (or a nominee) to attend either one of the next two Panel meetings.

O&S.17/15 MONITORING REPORT ON SOUTH HAMS CITIZENS ADVICE BUREAU SERVICE LEVEL AGREEMENT

The Panel was presented with a report that reviewed the operation of South Hams Citizens Advice Bureau (SHCAB) in 2014/15. The report also reported on the requirements of the Service Level Agreement (SLA) and began to look beyond 2015/16.

To supplement the report, the newly appointed SHCAB Manager provided a presentation to the Panel. In summary, the presentation outlined the aims and objectives of the SHCAB and the future challenges facing the organisation, which were considered to be:

- the anticipated increased future demand;
- maintaining the core grants which the organisation was so reliant upon; and
- integrating the outreach and home visiting service into the core functions of the SHCAB.

In the subsequent discussion, reference was made to:-

- (a) the telephony system. The CAB representatives gave assurances that, whilst able to receive telephone calls from across the county, the telephony system ensured that priority was given to calls received from South Hams dialling codes;
- (b) the western end of the district. A Member highlighted that a political decision had been made by Plymouth City Council whereby residents from outside of the city boundaries were not permitted to use the Plymouth CAB service. In light of this decision, the Member pleaded with the SHCAB to consider the needs of the western end of the district when developing its outreach services;
- (c) a request for additional related information. When considering the report recommendations outlined in the agenda papers, the Panel felt that it required additional information to be able to reach a view in respect of future options for the renewal of the SLA. In particular, Members wished to see further financial information (e.g. income and expenditure; staff and volunteer pay and external grants and other funding sources) and less subjectivity. Until the Panel had been able to review such information, it did not feel in a position to be able to reach any recommendations. It was therefore suggested that this agenda item should be revisited at the next Panel meeting on 27 August 2015;

In conclusion, the Chairman wished to thank the SHCAB representatives and the Lead Specialist – Place and Strategy for their informative report and presentation.

It was then:

RESOLVED

That the South Hams CAB Update be revisited at the next Panel meeting on 27 August 2015, with an updated report being included on the published agenda that includes greater financial information and less subjectivity.

O&S.18/15 TRANSFORMATION PROGRAMME MONITORING

In providing a verbal progress update, the Executive Director (Service Delivery and Commercial Services) focused specifically on four parts of the Programme: Human Resources, IT, Budget and Agile Working and Culture. In summary, the officer made reference to:-

- Human Resources. Since the last Panel update, Members were informed that Phase 2 of the assessment process had been brought forward and it was anticipated that those affected employees would be confirmed in their new roles by 1 September 2015.

Officers highlighted the current capacity challenges facing the Council, which had largely arisen in light of the IT workstream being six weeks behind current forecasted timescales. In particular, the Panel was informed that there were a number of vacancies currently in the Customer Contact Centre, which were being covered by temporary staff;

- the Finance Workstream. It was confirmed that a detailed Transformation Programme budget report would be presented to the next Panel meeting. However, officers did also confirm that they did not anticipate any budget overspend of the total Programme budget of £4.61 million, which had been approved by the Council in December 2014 (Minute 53/14 refers);
- the accommodation workstream. The Panel noted that the accommodation project was largely finished and had delivered approximately 150 agile workstations. In addition, the Council was currently negotiating with an external contractor, with a view to the organisation becoming a tenant of Follaton House from 1 January 2016;
- the progress being made by the Localities team. In highlighting this progress, officers referred to the upcoming Member Briefing on 16 July 2015, which was intended to provide an opportunity for Members to have an input into shaping future locality delivery;
- recruiting apprentices and graduates. When questioned, the Panel was advised that the Senior Leadership Team was committed to looking at methods of recruiting apprentices and graduates and a number of apprentices had already been recruited into Commercial Services.

O&S.19/15 UPDATE ON CUSTOMER SERVICES AND IT

Having been invited to attend by the Panel Chairman, the lead Executive Members and Group Managers for Customer First and Support Services were in attendance to provide a progress update on Customer Services and IT.

In their combined presentation, the following points were raised:-

- (a) The Panel was informed that the new IT infrastructure was in place and staff had been in receipt of their laptops. In respect of the technology, the IT service had already delivered new back end application systems for services including Housing, Waste, Environmental Health and Licensing;
- (b) A paper was tabled to the meeting that illustrated the sheer extent of the work involved in developing just one process in the new W2 System;

- (c) To ensure that delivery targets were met, an additional short-term resource (which was within the existing budget) had been brought in to provide some project management support. It was intended that this would provide additional capacity to ensure that delivery targets were met;
- (d) The importance of delivering the new customer centre telephony system was emphasised;
- (e) A Customer Services Performance paper for 2014-15 was presented to the meeting that highlighted that:
 - o call volumes had dramatically increased (by 12%), largely as a consequence of the service now receiving the Development Management Service telephone calls;
 - o one third of staff were currently temporary and in training;
 - o 70% of calls were being answered, with just over 30% of these being answered within 20 seconds. However, 30% of callers were also experiencing a greater than 7 minute wait to have their call answered;
 - o the self-service portal on the website was absolutely critical to the effectiveness of the service. Once it was in place and operational, more customers would be able to self-serve and therefore the number of calls into the Council would be reduced.
- (f) Members recognised that the Customer Services staff were working tirelessly in very difficult circumstances and their commitment and work ethic was admirable.

In the ensuing debate, reference was made to:-

- (i) the assurances that Members were initially given. A number of Members made the point that they had stressed that, right from the offset of T18, customer service was of paramount importance to maintain credibility and confidence in the Programme. It was therefore felt regrettable and unacceptable that the service was in its current predicament and particular concern was expressed at the statistic whereby 30% of calls were not being answered.

Whilst acknowledging that it was unsatisfactory, the Leader of Council reminded Members that it had been made clear from the start of the Programme that the Council would see a dip in performance and that it would take time for improvements to be apparent. Some Members proceeded to respond that the dip had been deeper than previously anticipated and there was a need to reverse this trend quickly;

- (ii) failure demand. In the drive to reduce instances of failure demand, officers informed that such calls had recently started to be logged and this was seen to be a key workstream for Customer Services;
- (iii) the need to increase resources in Customer Services. Some Members felt that there was a capacity shortfall in Customer Services and resources should therefore be re-allocated accordingly;

- (iv) the introduction of a Member direct telephone line into the Council. The Panel endorsed the suggestion that a Member direct line be established which should be for the sole use of Members and not for the wider circulation of residents or town and parish councils;
- (v) the commitment to improve the performance in Customer Services. In reiterating their unerring commitment, the lead Members and officers stated that there were already signs of service improvements. In light of the importance of this issue, the Panel requested that, at least for the foreseeable future, it be in receipt of updated performance comparisons based upon the paper which had been tabled to this meeting. In addition, Members felt it reasonable for a more extensive IT and Customer Services update to be then given to the Panel meeting on 19 November 2015.

It was then:

RESOLVED

1. That a Member direct telephone line into the Council be established;
2. That the Panel be in receipt of updated Customer Services performance information at each meeting, with the tabled paper to this meeting being used as a template to enable for comparative analysis; and
3. That a detailed IT and Customer Services update be presented to the Panel meeting on 19 November 2015.

O&S.20/15 WASTE TASK AND FINISH GROUP – REVIEW AND FUTURE PLAN

The Panel considered a report that looked to conclude the work of the previous waste and recycling task and finish group and set out the forward planning required for this service area.

In discussion, the following points were raised:-

- (a) A number of Members wished to put on record their gratitude for the excellent work undertaken by the previous task and finish group;
- (b) It was acknowledged that the proposed newly constituted group may extend its scope beyond solely waste and recycling and consider the wider subject matter of commercialisation;
- (c) Members recognised that there was potential to work jointly with West Devon Borough Council in respect of strategic matters and potential future service delivery models. However, it was equally acknowledged that certain aspects of the group's work would not be appropriate to be considered jointly;

- (d) During its deliberations, officers confirmed that the group would be asked to consider whether there was merit in progressing any appropriate partnership working opportunities;
- (e) The Panel supported the appointment of Cllrs Baldry, Barnes and Gilbert to serve on the newly constituted group.

It was then:

RESOLVED

1. That the work of the previous task and finish group be formally concluded through a final meeting, with continuity of group membership being retained where possible and any recommendations arising from this meeting being presented to the Panel for its consideration;
2. That a new task and finish group be formed (comprising of Cllrs Baldry, Barnes and Gilbert) with its primary purpose being to strategically review waste and recycling services as part of the Devon wide strategic group, which also considers legislative changes;
3. That membership of the new group also considers the governance required to consider delivery option models for future front line, customer facing service provision; and
4. That, where appropriate, the task and finish group works jointly with West Devon Borough Council and reports its findings to the Panel.

O&S.21/15 TASK AND FINISH GROUP UPDATES:

(a) Performance Measures

The Panel was informed that the first meeting of the Group had been arranged to take place on Monday, 3 August 2015.

(b) Dartmouth Lower Ferry

Members noted that the Group would be supported by the Executive Director (Service Delivery and Commercial Development) and Group Manager – Commercial Services and its first meeting would be taking place on Friday, 10 July 2015.

O&S.22/15 DRAFT ANNUAL WORK PROGRAMME 2015/16

The Panel considered its draft 2015/16 Work Programme and made particular reference to:-

- (a) income generation opportunities. The Panel was informed that the Business Development Group Manager currently had approximately 50 ideas to progress. As a consequence, Members asked that the officer provide a summary of these projects to the Panel meeting on 17 September 2015;
- (b) Housing Associations. A non-Panel Member queried why some Housing Associations were included on the draft Work Programme whilst others were not. In reply, the Chairman informed that he would give this issue some more consideration, but did not consider it appropriate for more than one Housing Association to be in attendance at the same meeting. Therefore, it was felt that the Work Programme should be updated whereby the South Devon Rural Housing agenda item should be deferred to 25 February 2016 meeting;
- (c) a formal request for the Panel to review agency staff numbers and associated costs and political balance provisions. The Chairman confirmed that these proposals had been considered and since the agency staff issue would be considered by the Audit Committee in September and the political balance queries had been dealt with via email, then there was not felt to be a need for these matters to be added to the Work Programme.

(Meeting started at 10.00 am and concluded at 12.40 pm).

Chairman

Appendix A**Maritime and Coastguard Agency Update – Member Questions Submitted in Advance**

- *Who do local boats call up on the radio for radio checks? There is a lot of confusion. HM Coastguard should have a PR drive.*
- *Why is there a delay in paging crews after a 999 call and this has been up to 20 minutes when there is life in danger?*
- *I read in the local newspaper that fire crews have come from Camel Head, Plymouth, and ambulance crews have come from Exeter. Why aren't local resources used e.g. coastguards in the area?*
- *How many people are covering the South Hams? How many people are covering Torbay?*
- *Please outline the process for a 999 HM Coastguard call.*
- *When a team is tasked to do a search or cliff rescue it is HMRC protocol to task the flank team. This has failed to happen numerous times. Why?*
- *When the coastguard vehicle is on patrol it was an HMRC requirement for the vehicle to call in hourly when on the highway and half hourly when off road. This was always a safety requirement which now seems to be discouraged. Why?*
- *Why do Solent and Falmouth control centres no longer monitor Channel 0 as well as Channel 16? There have been numerous complaints from the local teams being unable to call for back up from other teams.*
- *Are you satisfied with the support you give to your local coastguard volunteers?*

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**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE ON MONDAY 13 JULY 2015**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr J Brazil (Chairman)	∅	Mr G Burrell
*	Cllr J A Pearce	*	Dr C C Harling (Vice Chairman)
*	Cllr K R H Wingate	*	Mr M Mackley
*	Cllr S A E Wright	*	Mr H Marriage
		*	Mr A Thomson
		*	Mr M Taylor

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Salcombe Harbour Master, Solicitor, Finance Business Partner and Senior Case Manager

SH.01/15 MINUTES

The minutes of the meeting of the Salcombe Harbour Board held on 20 April 2015 were confirmed as a correct record and signed by the Chairman.

SH.02/15 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting, and the following were made:

Cllr Wright, Dr Harling, Mr Burrell, Mr Mackley, Mr Marriage, Mr Taylor, Mr Thomson and Cllr Wingate all declared a disclosable pecuniary interest in all related agenda items by virtue of having moorings or paying harbour dues to the Council. As a result of the Solicitor granting each Board Member a dispensation (Minute SH.05/15 below refers), they were all able to take part in the debate and vote on any related matters (Minute SH.05/15 below refers).

SH.03/15 PUBLIC QUESTION TIME

There were no specific issues raised during Public Question Time.

SH.04/15 FEEDBACK FROM HARBOUR COMMUNITY FORUMS

The Board received verbal update reports from the Board Members who attended the Harbour Community Forums. The updates were as follows:

Salcombe Kingsbridge Estuary Association (SKEA)

No update was given at this meeting.

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The Forum had received a presentation on areas of sea grass and changes to bylaws to protect these areas. Two forthcoming events were also discussed; being a beach clean on 20 September 2015 and a Bioblitz on 27/28 September 2015, which was a biodiversity event that would include a species count.

South Devon & Channel Shellfishermen

The Shellfishermen had advised the Board that they were working with the Harbour Master to address issues of enforcement on Salcombe Quay. Their concerns related to lack of enforcement of quayside rules and the parking of lorries for long periods of time and the impact on local residents. The Board discussed the issues and the Harbour Master set out the details of those concerns. The Chairman advised that he would like to see what could be done to address the issues raised and he would attend further meetings on this matter.

Kingsbridge and Salcombe Marine Business Forum

There was no update to give at this meeting.

Kingsbridge Estuary Boat Club (KEBC)

There was no update to give at this meeting.

SH.05/15

CODE OF CONDUCT DISPENSATIONS

The Solicitor reminded the Board of the implications under the new Code of Conduct. She went on to advise that having a mooring or payment of harbour dues constituted a contract with the Council, and therefore should be declared as a Disclosable Pecuniary Interest (DPI). In the event of declaring a DPI, a Member would have to update their Register of Interest forms immediately. As a number of Board Members were in this position, the Solicitor granted a dispensation to all Members to enable them to take part in the meeting, (as stated in Paragraph 8.1 (c) of the Members Code of Conduct) as otherwise the meeting would be inquorate. This dispensation would be in force until the next Annual Council meeting in May 2016.

SH.06/15

FINAL ACCOUNTS 2014/15

The Harbour Master presented a report that advised Members of the Harbour's final trading position in 2014/15 together with brief details of the main variations from the original budget. A summary of harbour reserves and balances was also provided.

The Harbour Master went through the report, and particular reference was made to the list of variations which he explained in more detail. Examples included savings being made by running the invoices by email, savings on staffing by reducing overtime and savings from more effective maintenance. He also advised that a number of budget elements would be refined for 2015/16.

During discussion, reference was made to concerns regarding the wall located on the Quay at Kingsbridge, which would require monies being spent on it, and to the level of Reserves. On the whole, Members felt that the amount of the Reserves was right, and several Members stated that the levels of Reserves should not fall below the current level.

It was then:

RESOLVED

That the final accounts for 2014/15 be noted.

SH.07/15 **ANNUAL REPORT**

The Harbour Master presented a report that sought to publish the Annual Report which covered the period 1 April 2014 to 31 March 2015 and reported the progress made against the Board's Strategic Objectives up to 31 March 2015.

The Harbour Master advised that the report had not yet been finalised, and that he intended to circulate the completed draft to Members of the Board. It was agreed that the Board would then consider endorsing its approval for publication of the Annual Report at its next meeting on 28 September 2015.

It was then:

RESOLVED

That an Annual Report be published.

SH.08/15 **PERFORMANCE INDICATORS**

Members were asked to consider a report that proposed a revised set of Performance Indicators (PIs) and reported progress made in the first quarter of this financial year against both the proposed and existing PIs.

The Harbour Master introduced the report, and then advised Members of how he had arrived at the list of possible new PIs and the revised presentation of these indicators which would include some elements only being reported by exception.

During discussion, one Member raised concerns at the proposed changes. However another Member felt that the existing PIs measured activity rather than performance and was pleased to see the proposed changes. Other Members agreed that the presented paper reflected the request to the Harbour Master to review the PIs and that the Members should debate the critical success factors. It was also noted that a record should be kept of activity undertaken such as inspections.

To conclude this item, it was **Page 121** **PROPOSED, SECONDED** and on being

put to the vote declared **CARRIED**, that the presented recommendations be amended and additional recommendations added.

It was then:

RESOLVED

1. That the new PIs (as set out in the presented report) be adopted, subject to a review after one year;
2. That the latest PIs be noted;
3. That a quarterly budget monitoring report be presented to the Board; and
4. That any decision relating to Customer Satisfaction assessment be deferred pending presentation of a further report to the Board at a future meeting.

SH.09/15 **REPORT ON TOPICAL HARBOUR ISSUES**

Members were asked to consider a report that updated them on a number of issues of topical interest which did not merit a separate report in their own right.

At the beginning of this item, a Member asked that the Board discuss the latest position regarding the Rivermaid.

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.

At the end of the discussion on this matter, it was:

RESOLVED

That public and press be readmitted.

The Harbour Master then took Members through the main points within the report. The Chairman asked that a full report updating the position of the Egremont be included as an agenda item for the next meeting. The Harbour Master also confirmed that a report would be presented to a future meeting of the Board to look at the options in relation to Wifi service.

following the discussion on this matter during the previous item (Performance Indicators – Minute SH.08/15 above refers), it was confirmed that this would not be progressed at this time. Finally, in respect of concerns over the raft pontoon systems in the harbour, it was agreed that this could be considered at the time of the next Moorings Policy Review.

It was then:

RESOLVED

That the report be noted.

SH.10/15 **MATTERS FOR FUTURE CONSIDERATION**

A report was considered that highlighted matters for future consideration by the Board.

There being no matters to discuss, it was then:

RESOLVED

That the report be noted.

(Meeting commenced at 2.30 pm and concluded at 5.05 pm)

Chairman

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 23 JULY 2015**

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

Also in attendance and participating		
Item 7	E.12/15	Cllrs Baldry, Hodgson, Holway, Pearce, Pennington, Saltern and Smerdon
Item 8	E.13/15	Cllrs Hodgson, Holway and Pearce
Item 9	E.14/15	Cllrs Baldry, Hodgson and Pennington
Also in attendance and not participating		
Cllrs Bramble,- Brown,- Cuthbert, Hitchins and- Steer		

Officers in attendance and participating		
All items		Executive Director Strategy & Commissioning (SJ), Executive Director Service Delivery and Commercial Development (SD&CD) (SH), COP Lead Specialist (Finance) (LB) and Senior Case Manager (KT)
Item 7	E.12/15	COP Lead Specialist Place and Strategy (RK)

E.09/15 MINUTES

The minutes of the meeting of the Executive held on 18 June 2015 were confirmed as a correct record and signed by the Chairman.

E.10/15 DECLARATIONS OF INTEREST

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

During discussion of Item 9 – ‘Capital Programme Monitoring Report’ (Minute E.14/15 refers), Cllr Bastone declared a personal interest by virtue of being a past president of the Rowing Club and an Honorary member of Dartmouth Yacht Club. He remained in the meeting but abstained on the vote taken on those issues that related specifically to Dartmouth.

E.11/15 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.12/15 LEISURE SERVICE PROCUREMENT

Members were asked to consider a report that sought approval of the award criteria for the joint leisure service procurement project for South Hams District Council and West Devon Borough Council, sought agreement that West Devon Borough Council be nominated as the Lead Council for the purposes of the joint procurement for leisure services and that Members adopt the Memorandum of Understanding which set out the principles of collaboration and joint procurement.

The Leader introduced the report (as it related to commissioning), and then the Portfolio Holder for Customer First set out the background to the report and drew Members attention to the award criteria as set out in the presented report. He concluded by stating that West Devon Borough Council had already received and approved the recommendations within the report.

During discussion, a number of Members commented on the duty of the district council to support the health and wellbeing of residents. Whilst provision of leisure centres was not a statutory responsibility, there was a responsibility to support health and wellbeing. One Member felt that this responsibility sat with the NHS rather than council taxpayers. Members also stated that the procurement process should make reference to outreach and innovation in ways of thinking to make sure health and wellbeing was accessible.

Members were reminded that the discussion today related only to confirmation of the award criteria, not whether or not the Council should be providing leisure services. Members were also advised that the Project Board would not be making the final decision but they would report back on the outcome of their work.

A Member asked that green travel be included to ensure affordable access. The COP Lead Specialist confirmed that outreach and green travel matters would be incorporated. In response to a question regarding provision in Ivybridge, he advised that there were specific issues in Ivybridge and this item today did not change previously agreed matters. Assurances were given to the meeting that Ivybridge specific matters would be discussed with the appropriate local ward Members.

It was then:

RESOLVED

1. That the award criteria for the joint leisure service procurement project for South Hams District Council and West Devon Borough Council (as set out in para 3 of the presented agenda report) be approved;
2. That, in accordance with para 11 of the Joint Collaboration Agreement, West Devon Borough Council be nominated as

the Lead Council for the purposes of the joint procurement for leisure services; and

3. That the Memorandum of Understanding which sets out the principles of collaboration and joint procurement be adopted (subject to any final wording amendments being delegated to Lead Specialist – Place and Strategy in agreement with the Portfolio Holder).

E.13/15 T18 BUDGET MONITORING REPORT – QUARTER 4 2014/15

Members considered a report that set out the progress to date on the T18 Transformation Programme, and updated Members in respect of the waste round review.

The Leader introduced the report and advised Members that major strides were being made and the next few months were critical. He also drew their attention to the breakdown of budget and spend contained within the report.

One Member had forwarded questions relating to the report and stated that the table presented on page 34 of the presented agenda papers was difficult to assess as it did not include forward budget predictions. She also raised a question relating to the software for the channel shift plan and how effective it was for a rural location. The Executive Director (SD&CD) responded that the software system was not the only method of obtaining this information and, although the cost was reasonable, it was important to ensure value for money and this would continually be reviewed. In response to the first question regarding forward budget predictions, the Leader advised that the information was available and gave a verbal summary of the position and confirm that this would be included with the Members Bulletin.

The Deputy Leader reported positive feedback regarding the Locality team and advised that they were already having an impact in the community.

The Portfolio Holder for Support Services advised that this area was now on schedule and accepted that standards may fall but only in the short term during a period of learning.

One Member asked that climate change mitigation be included as a risk. In response, the Executive Director (SD&CD) advised of ways in which the whole programme was in tune with climate change mitigation and was seen as an opportunity rather than a risk. The Member replied that it would be important that this was not lost.

The COP Lead Specialist (Finance) responded to questions related to the likely final spend for implementation by advising that the only outstanding costs were for the Phase 2 recruitment exercise and this would bring the total cost of implementation and design of the future operating model to approximately £191,000.

It was then:

RESOLVED

1. That progress to date on the T18 Transformation Programme be noted; and
2. That the waste round review originally scheduled to take place in September 2015 be delayed to take place during 2016.

E.14/15 CAPITAL PROGRAMME MONITORING REPORT

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

The Leader referred this report to the Portfolio Holder for Support Services, and he then drew Members attention to the key details contained. The Portfolio Holder for Assets reminded Members that the minutes of the previous meeting stated that a decision would be made during consideration of this agenda item following a request by another local Ward Member to transfer funds within the Capital Programme from the slipway at Dartmouth to the Indoor Pool, to facilitate a link corridor between the pool and the existing leisure centre. Members briefly discussed this and it was then **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**, that the request not be accepted and the funds remain in their current place within the Capital Programme.

A Member raised a query regarding the Task and Finish Group set up previously to look at Disabled Facilities Grants. The Chairman of the Overview and Scrutiny Panel confirmed that he would look into this matter. Another Member noted the importance of these grants.

It was then:

RESOLVED

1. That the report be noted; and
2. That the underspend on £45,151 of the Disabled Facilities Grant budget for 2014/15 be carried forward and added to the 2015/16 Disabled Facilities Grant (DFG) budget of £600,000 (giving a total DFG budget of £645,151 for 2015/16) be agreed.

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 3 AUGUST 2015 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.05 am)

Chairman

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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
29 JULY 2015**

Members in attendance			
* Denotes attendance			
*	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 Saltern, Tucker and Wright

Item No	Minute Ref or App. No. below refers	Officers in attendance and participating
All agenda items		COP Lead Development Management, Planning Officers, Legal Officer and Senior Case Manager
	35/0059/15/F & 35/0465/15/F	Highways Authority Officer, Affordable Housing Officer

DM.13/15 MINUTES

The minutes of the meeting of the Committee held on 1 July 2015 were confirmed as a correct record and signed by the Chairman subject to the addition of the following comment and amendment:

Minute DM.11/15 a) to be amended to include: ‘Following the Ward Member presentation, the Chairman suspended the meeting and asked that the Ward Member leave the room with the Solicitor. After a few minutes, the Ward Member and Solicitor returned to the meeting.’

There was a further minor amendment required within Appendix A of the minutes, as application 30/1799/14/F: Plot to rear of Inglewood Cottages, Higher Contour Road, Kingswear was shown as ‘Committee Decision: Conditional Approval’ when in fact the Committee Decision was to ‘attend a Site Inspection’.

DM.14/15 URGENT BUSINESS

The Chairman advised that application 57/2472/14/O – Outline application for mixed use development of approx. 198 no. dwellings, public open space, employment uses (including Health Centre), a neighbourhood centre and new roundabout on Exeter Road (access to be considered) – Land at SX 6483 5632, off Rutt Lane, Ivybridge, had been withdrawn from the agenda and would be presented at a later date.

DM.15/15 **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:

Cllrs I Bramble, R J Foss, J A Pearce, R Rowe and R C Steer declared a personal interest in application **30/1442/14/F**: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear by virtue of the objector being known to Members of the Totnes Conservative constituency. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr J A Pearce declared a personal interest in application **41/0703/15/F**: Demolition of existing structure and erection of new dwelling and raised parking area - Proposed development site to rear of The Hollies, Devon Road Salcombe by virtue of knowing the neighbour. She remained in the meeting and took part in the debate and vote thereon:

Cllr J M Hodgson declared a personal interest in **TPO 916 2015**: Leylandii at St Katherines Way, Totnes, by virtue of chairing the Town Council meeting at which this was discussed and voting in favour of retaining the Tree Preservation Order. However, she had already left the meeting by the time that this application was considered;

Cllr R J Vint declared a personal interest in **TPO 916 2015**: Leylandii at St Katherines Way, Totnes, by virtue of attending the Town Council meeting where this was discussed however he did not vote at that time. He remained in the meeting and took part in the debate and vote on this item;

Cllr B F Cane declared a personal interest in application **27/0372/15/F**: Erection of new dwelling – Proposed development site at SX 6345 5674, Mill Manor, Beacon Road, Ivybridge by virtue of knowing the speaker in support of the application and having previously commissioned them for work. He remained in the meeting and took part in the debate and vote thereon;

Cllrs R Rowe and B F Cane both declared a personal interest in the following applications by virtue of being respectively the Chairman and a Member of the South Devon AONB Partnership Committee within which the applications were sited. They remained in the meeting and took part in the debate and vote on each of these applications:-

30/1422/14/F: Erection of a single two storey dwelling and separation of part of garden – The Anchorage, Redoubt Hill, Kingswear;

48/1099/15/F: Householder application for refurbishment of dwelling including single storey extension, new two storey link between main house and new extension and new landscape and patio to garden (resubmission of application 48/0409/15/F) – The Sail Loft, South Pool, Kingsbridge;

05/0383/15/F: Excavation and formation of retaining wall for erection of temporary beach hut/kiosk with change of use of land - Proposed beach hut/kiosk, Land at SX 6508 4421, Bigbury on Sea;

41/0703/15/F: Demolition of existing structure and erection of new dwelling and raised parking area – Proposed development site to rear of The Hollies, Devon Road, Salcombe;

41/1104/15/F: Change of use of single storey redundant public convenience to café/cold food takeaway facility and creation of decking and seating area adjacent (A3/A1).

DM.16/15 PUBLIC PARTICIPATION

The Chairman proceeded to announce that the following members of the public had registered their wish to speak at the meeting:-

- **35/0059/15/F & 35/0465/15/F:** Objector – Mr Martin Ranwell: Supporter – Mr Steve Munday: Parish Council – Cllr Mark Lawrence: Mixed use development on land for erection B1 use building, 93 dwellings, roads, footways and strategic landscaping and Creation of car park and landscaped area of public open space, associated with adjoining development of 93 dwellings and B1 use building – Proposed development site at SX 655 518, West of Palm Cross Green, Church Street, Modbury and Car Park, Palm Cross, Modbury;
- **27/0372/15/F:** Objector – Mr Burch: Supporter – Mrs Amanda Burden: Erection of new dwelling – Proposed development site at SX 6345 5674, Mill Manor, Beacon Road, Ivybridge;
- **48/1099/15/F:** Objector – Mr Nigel Llewellyn: Supporter – Mr Richard Atkinson: Householder application for refurbishment of dwelling including single story extension, new two storey link between main house and new extension and new landscape and patio to garden (resubmission of application 48/0409/15/F) – The Sail Loft, South Pool, Kingsbridge;
- **05/0383/15/F:** Supporter – Mr Mike Smith: Parish Council – Cllr Bryan Carson: Excavation and formation of retaining wall for erection of temporary bveach hut/kiosk with change of use of land – Proposed beach hut/kiosk, land at SX 6508 4421, Bigbury on Sea;
- **49/0776/15/F:** Supporter – Ms Andrea Peacock: Conversion of redundant store building into 2 no. 1 bed dwelling units – Proposed development site at SX 5983 5575, rear of Lee Mill Inn, New Park Road, Lee Mill Bridge;
- **41/0703/15/F:** Objector – Mr Richard Turton: Supporter – Mr Dan Lethbridge: Town Council – Cllr David Cohen: Demolition of existing structure and erection of new dwelling and raised parking area – Proposed development site to rear of The Hollies, Devon Road, Salcombe;
- **41/1104/15/F:** Town Council – Cllr David Cohen: Change of use of single storey redundant public convenience to café/cold food takeaway facility and creation of decking and seating area adjacent – Public Conveniences, Cliff House Gardens, Cliff Road, Salcombe;
- **TPO 916 2015:** Objector – Mr Tony Dale: Town Council – Cllr Pruw Boswell: Leylandii at St Katherines Way, Totnes.

DM.17/15 SITE INSPECTIONS

Applications referred for site inspection at the meeting held on 1 July 2015 would be considered later on the agenda (Minute DM.18/15 refers).

DM.18/15 PLANNING APPLICATIONS

The Planning Case Officers submitted details of the planning applications as presented in the agenda papers.

During discussion of the planning applications, the following motions (which were in contradiction to the planning officer recommendation in the published agenda report), were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- a) In respect of application **48/1099/15/F**: Householder application for refurbishment of dwelling including single storey extension, new two storey link between main house and new extension and new landscape and patio to garden (resubmission of application 48/0409/15/F) – The Sail Loft, South Pool, Kingsbridge, the Case Officer introduced the application and advised that an additional condition was being recommended if the application were to be approved that related to the septic tank.

The background to the application was explained, and photographs were used to show the property and its position overlooking South Pool estuary. The Case Officer outlined the key areas of concern and the key issues of the application were discussed. The Case Officer recommendation was for conditional approval.

The local Ward Member noted that the Case Officer was in an interesting position as two different Conservation Officers had given conflicting views. However, he agreed with the comments as set out in the presented report and advised that the property would be clearly seen when approaching South Pool from the water. He added that the proposal would change the streetscene character which currently consisted of small cottages.

Other Members supported these views and noted that the proposed building would be significant in size.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

‘That the application be refused’

Reasons:

- Detrimental affect on the Conservation Area
- The proposal was contrary to DP17 as the proposed extension was not considered to be subordinate to the existing property

- b) In respect of application **41/0703/15/F**: Demolition of existing structure and erection of new dwelling and raised parking area - Proposed development site to rear of The Hollies, Devon Road, Salcombe, the Case Officer introduced the application and explained that the application site was within the Salcombe Conservation Area. He outlined the application and used plans and photographs to explain the site and its history. The main issues were outlined in detail and the recommendation was for conditional approval.

The first local Ward Member reiterated the sensitive position of the application site and stated that, whilst not against some development, he felt that the current proposal was of inappropriate design and scale. The second local Ward Member reminded the Committee of the content of a letter of objection submitted in relation to this application. She added that whilst the NPPF included a statutory presumption in favour of sustainable development, it also gave protection to non designated heritage assets. This application did not include submission of a heritage statement and there were concerns expressed in relation to the loss of trees and habitat within the back garden. She concluded that in her view the report did not give sufficient weight to the extension of the car park area in addition to the new dwelling.

During discussion, some Members commented that building within a garden plot was preferable to building on agricultural land and such large gardens were no longer necessary, whilst other Members disagreed and highlighted the importance and sensitivity of the Conservation Area.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

‘That the application be refused’.

Reasons:

- The proposal would not preserve or enhance the Conservation Area
- The combination of new building, parking and storage would constitute overdevelopment of the garden
- Loss of undesignated heritage asset
- Subdivision of the plot

DM.19/15 **PLANNING APPEALS UPDATE**

The COP Lead for Development Management updated Members on the detail of the listed appeals.

DM.20/15 **TREE PRESERVATION ORDER REPORT**

The Committee received a presentation from the Landscape Officer in relation to TPO 916, 2015 that set out the background and supporting information.

Following an address by the objector and the local Town Council, the Members discussed the merits of the TPO. It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

That Tree Preservation Order 916 is not confirmed.

(Meeting commenced at 10.00 am and concluded at 6:00 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 29 July 2015

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
35/0059/15/F	Proposed development site at SX 655 518, West of Palm Cross Green, Church Street, Modbury	Conditional Approval	Cllrs Steer, Foss, Brazil, Vint, Cuthbert, Holway, Hitchins, Pearce, Rowe, Cane (10)	Cllrs Bramble, Hodgson (2)		
35/0465/15/F	Car Park, Palm Cross, Modbury	Conditional Approval	Cllrs Steer, Foss, Brazil, Vint, Cuthbert, Holway, Hitchins, Pearce, Rowe, Cane, Hodgson (11)		Cllr Bramble (1)	
30/1422/14/F	The Anchorage, Redoubt Hill, Kingswear	Conditional Approval	Cllrs Steer, Foss, Brazil, Vint, Cuthbert, Holway, Hitchins, Pearce, Rowe, Cane, Hodgson (11)	Cllr Bramble (1)		
7/0372/15/F	Proposed development site at SX 6345 5674, Mill Manor, Beacon Road, Ivybridge	Refusal	Cllrs Steer, Foss, Brazil, Bramble, Cuthbert, Holway, Hitchins, Pearce, Rowe, Cane, Hodgson (11)	Cllr Vint (1)		
48/1099/15/F	The Sail Loft, South Pool, Kingsbridge	Refusal	Cllrs Brazil, Bramble, Cuthbert, Holway, Hitchins, Pearce, Rowe, Hodgson (8)	Cllrs Vint, Cane, Steer (3)	Cllr Foss (1)	
05/0383/15/F	Proposed beach hut/kiosk, Land at SX6508 4421, Bigbury on Sea	Conditional Approval	Cllrs Brazil, Bramble, Cuthbert, Holway, Hitchins, Pearce, Rowe, Hodgson, Vint, Cane, Steer, Foss (12)			
49/0776/15/F	Proposed development site at SX 5983 5575, rear of Lee Mill Inn, New Park Road, Lee Mill Bridge	Conditional Approval	Cllrs Brazil, Bramble, Cuthbert, Hitchins, Pearce, Rowe, Hodgson, Vint, Steer, Foss (10)	Cllr Holway (1)		Cllr Cane (1)

41/0703/15/F	Proposed development site to rear of The Hollies, Devon Road, Salcombe	Refusal	Cllrs Brazil, Bramble, Cuthbert, Pearce, Rowe, Vint, Holway (7)	Cllr Steer (1)	Cllrs Hitchins, Foss (2)	Cllrs Cane, Hodgson (2)
41/1104/15/F	Public Conveniences, Cliff House Gardens, Cliff Road, Salcombe	Conditional Approval	Cllrs Bramble, Cuthbert, Hitchins, Pearce, Rowe, Vint, Steer, Foss, Holway (9)			Cllrs Brazil, Cane, Hodgson (3)
TPO 916 2015	St Katherine's Way, Totnes	Not to confirm TPO	Cllrs Bramble, Cuthbert, Pearce, Rowe, Foss, Holway (6)	Cllr Vint (1)	Cllr Steer (1)	Cllrs Brazil, Cane, Hodgson, Hitchins (4)

APPENDIX A

35/0059/15/F

Mixed use development on land for erection B1 use building, 93 dwellings, roads, footways and strategic landscaping

Parish or Town Council - Modbury

Parish Council's Views – Objection

Officer Update – Officer has received a formal response from the affordable housing officer who supports the application which helps the delivery of the much needed affordable housing. The Council has over 950 households registered on the waiting list – Devon Home Choice – of which 26 are in Modbury. In addition, a separate waiting list for intermediate housing is held by Homes to buy SW, which has 298 households registered for intermediate housing linked to Modbury. Happy with the 30% offer on a mixed use site and the mix and tenure of 70% affordable rent and 30% intermediate was subject to negotiations at a pre-application stage.

Devon County Highways – accepts the principle of development and, subject to conditions which ensure the delivery of the safe access to the proposals, has no objections.

The requested conditions are covered by conditions 4, 5, 7, 9, 12, 24 and 25.

Two typos – condition 11 on page 41 should read 'removal of PD rights' and at the top of page 60, the RA1 allocation was for a total of 1.0ha of employment land

A further letter of representation was reported.

Recommendation – Conditional Approval subject to the Section 106 Agreement, the conditions in the report and the following additional conditions:

1. Details of the southern roadside boundary, including details of the retaining structures and landscaping to be submitted and approved by the LPA
2. A revision to condition 7, splitting it into two conditions one being the submission of details of all of the proposed on-site highway works and the completion for approval by the LPA and the completion in accordance with the approved details and a similar condition regarding the proposed off-site highway works.
3. The restriction of access points from the site to the existing car parking area to the east of the site

And the revision of condition 25 in the officer report to read as follows:

No development to commence until a scheme has been provided to and approved in writing by the LPA setting out the details of a footpath to be provided from the development to the public highway at Palm Cross to the east of the site. The details shall include the line of the path construction details and an improved visibility splay to the north for pedestrians and the timing of the works and the method of ensuring that the path is available in perpetuity.

The footpath must be installed to adoptable standard in accordance with the approved details prior to the occupation of any of the dwellings hereby approved or the occupation of the employment building.

A further condition was also agreed by the Committee to require the submission of details of the proposed chimneys to and approved by the LPA.

In addition the Committee agreed a revision to the proposed Condition 1 relating to the commencement of the development giving 18 months for the commencement of the development and an additional clause in the Section 106 Agreement to include a provision to seek a 20mph speed limit on the area around the proposed shared surface.

Committee Decision – Conditional Approval

1. 18 months to commence development
2. Landscape scheme and implementation
3. Tree/Hedge protection
4. Surface Water Drainage
5. Construction method statement and management plan
6. Development to be completed in accordance with a road and footpath phasing plan
7. On-site Highway works to be completed in accordance with approved details to be submitted to the LPA
8. Off-site Highway works to be completed in accordance with approved details to be submitted to the LPA
9. Parking and Turning details(Residential)
10. Provision of parking (Employment building)
11. Restriction of use for employment building
12. Removal of PD for employment building
13. Submission of a stage 2 safety audit
14. Car parking strategy
15. Details of retaining walls/structures
16. Submission of boundary treatments.
17. Development to be undertaken in accordance with the mitigation measures contained within the noise assessment.
18. Measures to be undertaken to address the identified contamination
19. Details of provision of Swift and Barn owl nest boxes.
20. Full details of surface water drainage system including percolation testing
21. Submission of Surface Water drainage details during construction.
22. Sewage disposal details
23. Lifetime homes
24. Use of employment units.
25. Lighting scheme

26. No development to commence until a scheme has been provided to and approved in writing by the LPA setting out the details of a footpath to be provided from the development to the public highway at Palm Cross to the east of the site. The details shall include the line of the path construction details and an improved visibility splay to the north for pedestrians and the timing of the works and the method of ensuring that the path is available in perpetuity. The footpath must be installed to adoptable standard in accordance with the approved details prior to the occupation of any of the dwellings hereby approved or the occupation of the employment building.
27. The submission of details of the proposed southern roadside boundary including details of the retaining structures and landscaping to be submitted to and approved by the LPA.
28. Access from the site to the existing car parking area to the east to be restricted.
29. Details off chimneys to be provided to and approved by the LPA

35/0465/15/F

Application for creation of car park and landscaped area of public open space, associated with adjoining development of 93 dwellings and B1 use building (reference 35/0059/15/F)

Parish or Town Council - Modbury

Parish Council's Views – Objection

Officer Update – Devon County Highways has no objections, subject to a condition which is covered by condition 25

Recommendation – Conditional Approval subject to the conditions within the report and an additional condition requiring the provision of the alternative parking area and it being made available for public use in accordance with on-going management details to be submitted to and approved by the LPA prior to the works being undertaken. This additional condition negates the need for the proposed 13th clause in the officer report which is removed.

Committee Decision – Conditional Approval

1. Standard time for commencement
2. Completion in accordance with the approved plans
3. Surface water drainage
4. Landscape planting and management scheme
5. Details of hardsurfacing
6. Provision of an alternative parking made available for public use in accordance with on-going management details to be submitted and approved by the LPA prior to the works being undertaken on the site.

30/1422/14/F

Erection of a single two storey dwelling and separation of part of garden

Parish or Town Council - Kingswear

Parish Council's Views – Objection

Officer Update –

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

1. Time limit for commencement
 2. In accordance with approved plans
 3. Permitted development restrictions
 4. Materials to be agreed
 5. Details of foul and surface water drainage
-

27/0372/15/F

Erection of new dwelling

Parish or Town Council - Ivybridge

Parish Council's Views – Objection

Officer Update –

Recommendation – Refusal

Recommended Conditions – N/A

Committee Decision – Refusal

48/1099/15/F

Householder application for refurbishment of dwelling including single storey extension, new two storey link between main house and new extension and new landscape and patio to garden (resubmission of application 48/0409/15/F)

Parish or Town Council - South Pool

Parish Council's Views – Objection

Officer Update –

Recommendation – Conditional Approval

Recommended Conditions –

1. Time
2. Accords with plans
3. Samples of materials to be agreed including stone samples.
4. Window on north east elevation to be maintained as high level.
5. No windows to be inserted in north west elevation.
6. Details of hard and soft landscaping including boundary treatment.
7. Tree protection scheme to be agreed and implemented.
8. Unsuspected contamination

Committee Decision – Refusal

05/0383/15/F

Excavation and formation of retaining wall for erection of temporary beach hut/kiosk with change of use of land

Parish or Town Council - Bigbury

Parish Council's Views – Objection

Officer Update –

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

1. Time frame for commencement of development
 2. Accordance with plans
 3. Seasonal use & removal out of season
 4. Loading/unloading materials
 5. Materials
-

49/0776/15/F

Conversion of redundant store building into 2no.1 bed dwelling units

Parish or Town Council - Sparkwell

Parish Council's Views – Objection

Officer Update –

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

1. Standard Time Limit
 2. Adherence to Plans
 3. Provision of Drainage Works
 4. Construction Management Plan
 5. Bats
 6. Cycle Provision
 7. Unexpected Contamination
 8. Materials
 9. Habitat Protection
-

41/0703/15/F

Demolition of existing structure and erection of new dwelling and raised parking area

Parish or Town Council - Salcombe

Parish Council's Views – Objection

Officer Update – 2 late letters, re-iterating earlier objections

Recommendation – Conditional Approval

Recommended Conditions –

1. Time
2. Accord with Plans
3. Retention of parking in perpetuity
4. Accord with landscape scheme
5. Details of foul discharge prior to commencement
6. Details of surface water soakaway prior to commencement
7. Section of green roof prior to commencement
8. Hardstanding finish material details prior to commencement
9. Cladding details prior to installation
10. Joinery details prior to installation
11. Natural stone sample panel
12. Work to conform to submitted tree protection measures
13. Removal of permitted Development Rights
14. Unsuspected contamination

Committee Decision – Refusal

41/1104/15/F

Change of use of single storey redundant public convenience to cafe/cold food takeaway facility and creation of decking and seating area adjacent (A3/A1)

Parish or Town Council - Salcombe

Parish Council's Views – Objection

Officer Update –

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

1. Time
 2. Accord with plans
 3. Schedule of materials and finishes prior to commencement of development
-

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**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 30 JULY 2015**

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

Members also in attendance:
Cllrs H D Bastone, T R Holway and S A E Wright

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Group Manager – Support Services, S151 Officer, Devon Audit Partnership Manager, Senior Specialist – Democratic Services, Chief Accountant, Finance Business Partner and Corporate Procurement Officer

A.6/15 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That Cllr I Bramble be appointed Vice-Chairman for the duration of this meeting.

A.7/15 MINUTES

The minutes of the meeting held on 25 June 2015 were confirmed as a correct record and signed by the Chairman.

A.8/15 DECLARATIONS OF INTEREST

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

A.9/15 DRAFT STATEMENT OF ACCOUNTS 2014/15

The Committee was presented with a report that introduced the draft Statement of Accounts for 2014/15. In summary, the report advised that a surplus of £34,000 had been generated in 2014/15, which had been transferred to the General Fund Balance (unearmarked revenue reserve).

In discussion, reference was made to:

- (a) the pension scheme assets and liabilities. A briefing note was tabled to the meeting that provided more details regarding the pension scheme assets and liabilities. A lengthy debate ensued during which Members raised a number of concerns at the pension liability increasing by 43% over the course of the year. The S151 Officer took Members through the briefing note which explained that the increase in the liability was due to a change in the actuarial assumptions in 2014/15. It was noted that the increased liability was mainly due to the fall in the discount rate assumption from 4.4% to 3.3%. It was also stated that if the same valuation exercise had been repeated just two weeks later (when the discount rate had risen), the increase in liability would have been reduced considerably.

As a consequence of Member concerns, the Committee requested that a representative from Devon Pensions be invited to attend the next meeting on 24 September 2015 to provide a presentation and respond to Member questions.

The Committee also noted that the pension fund deficit (as reported in the accounts) did not represent an immediate call on the Authority's reserves, but simply provided an accounting valuation snapshot (at 31 March 2015), with the value of assets and liabilities changing on a daily basis. Assurances were also given that this did not affect the Council's 'bottom line' and was reversed out of the revenue account;;

- (b) the analysis of variations. Members commented that the analysis was particularly useful and the additional income generated from planning applications and employment estates were particularly noteworthy. In contrast, a Member felt that the reduction in income for the Lower Ferry, Car Parks and Trade Waste were causes for concern. In acknowledging the point, the lead Executive Member for Support Services informed that the Executive was aware of these reductions and measures were being considered to reverse these trends;
- (c) the comprehensive income and expenditure statement. The Chairman queried as to why there were large variations on the statement in relation to 'central services to the public', 'cultural and related' and 'planning'. In reply, the S151 Officer advised that the variations were largely as a consequence of:-
- 'central services to the public' – there were two main reasons for this variation, namely the land charges settlement around personal search fees and the cost of the European elections;
 - 'cultural and related' – this variation was due to the revaluation of Ivybridge Leisure Centre; and
 - 'planning' – this variation was attributed to the £440,000 additional income generated by the service.

- (d) the Transformation Programme. The Committee was assured that the

Programme remained on track in respect of the anticipated projected savings.

It was then:

RESOLVED

1. That the draft Statement of Accounts for the financial year 31 March 2015 be noted; and
2. That a representative from Devon Pensions be invited to attend the next Committee meeting on 24 September 2015 to provide a presentation and respond to Member questions.

A.10/15 ANNUAL GOVERNANCE STATEMENT 2014/15

The S151 Officer presented a report that provided Members with information to enable them to independently examine the draft Annual Governance Statement and the supporting process and assurance streams.

A Member commented on the robustness of the Collaboration Agreement which had recently been signed by both the Council and West Devon Borough Council in the event of a future situation whereby both councils may not be in agreement over an issue.

It was then:

RESOLVED

1. That the process adopted for the production of the 2014/15 Annual Governance Statement be noted;
2. That the adequacy and effectiveness of the system of internal audit be endorsed; and
3. That Members have considered the draft Annual Governance Statement (AGS) for 2014/15 and the supporting evidence provided in the report and approve it for the signature of the Leader of Council and the Head of Paid Service.

A.11/15 CONTRACT PROCEDURE RULES

Members considered a report that allowed them to carry out an overview of the updated Contract Procedure Rules to enable them to ultimately recommend their adoption to the Council.

The Corporate Procurement Officer took the Committee through the report

and summarised the proposed key changes to the Rules.

In discussion, the following points were raised:-

- (a) Members highlighted some concerns regarding the proposal to remove the need for a Member to oversee the opening of tenders which were under the EU threshold. The view was expressed that this would result in the removal of a control mechanism in the process which would be detrimental. In reply, the officer talked the Committee through the safeguards associated with the online procurement portal and confirmed that Internal Audit would still have a role to play in reviewing the completed outcome sheets;
- (b) When questioned, officers confirmed that the Contract Procedure Rules did not relate to Section 106 Agreements. However, the proposed changes could have an impact on the Council's Financial Procedure Rules and officers informed that they would check this point.

It was then:

RECOMMENDED

That the updated version of the Contract Procedure Rules has been reviewed and that the Council be **RECOMMENDED** to approve them for adoption.

A.12/15 ROLE OF INTERNAL AUDIT – BRIEFING PAPER

Further to the Committee decision at its last meeting (Minute A.5/15 refers), a briefing paper was presented that summarised the roles, responsibilities and functions of the Council's Internal Audit Service.

It was then:

RESOLVED

That the paper be noted.

A.13/15 CHAIRMAN'S CONCLUDING COMMENTS

The Chairman informed that this was the last Audit Committee meeting before the Chief Accountant left the employ of the Council. On behalf of the Committee, the Chairman wished to thank him for his hard work and dedication and wished him a long and happy retirement.

In response, the Chief Accountant wished to formally thank Members for their support and, in particular, the Committee Chairman for whom he had worked so closely with during his twenty-five years employ with the Council.

(Meeting commenced at 10.00 am and finished at 12 noon)

Chairman

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**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 27 AUGUST 2015**

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

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

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service and Senior Specialist – Democratic Services
7(c)	O&S.26/15(c)	Community Of Practice Lead Specialist – Housing, Revenues and Benefits
9	O&S.28/15	Community Of Practice Lead Specialist – Housing, Revenues and Benefits; South Hams CAB Manager and South Hams CAB Treasurer
10	O&S.29/15	Group Manager – Support Services
11	O&S.30/15	Group Manager – Customer First
12	O&S.31/15	Executive Director (Service Delivery and Commercial Services) and Monitoring Officer

O&S.23/15 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 9 July 2015 were confirmed as a correct record and signed by the Chairman.

O&S.24/15 DECLARATIONS OF INTEREST

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

O&S.25/15 PUBLIC FORUM

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

O&S.26/15 EXECUTIVE FORWARD PLAN

Prior to the Forward Plan being considered, the Leader of Council informed that he was aware of some confusion amongst Members in respect of the individual Executive portfolio areas of responsibility. As a consequence, it was intended that a diagram would be produced and circulated to Members that would illustrate the division in responsibilities. In reply to a request, the Head of Paid Service also confirmed that a more detailed organisational structure chart was currently being produced and this would also be distributed to Members in due course.

With regard to the most recently published Forward Plan, and in accordance with Procedure Rules, requests had been made for updates on the following future Executive agenda items:-

(a) Business Development Opportunities

The Panel was informed that the Forward Plan included a standing agenda item entitled 'Business Development Opportunities' to enable the Council the ability to respond quickly in the event of opportunities arising at very short notice. However, it was noted that the Executive meeting agenda on 10 September 2015 would include a report relating to business rate relief. Whilst this item would be considered by the Executive in the first instance, officers confirmed that this matter would ultimately be determined at the Special Council meeting on 10 September 2015.

(b) Budget 2016/17

On behalf of her Group, the Leader of the Opposition had submitted a number of budget related questions to this meeting. In thanking her for submitting these questions, the Chairman requested that an all Member Budget workshop be convened in the ensuing weeks, with these questions then being addressed during this session.

(c) Devon Home Choice Policy Review

A report (which was due to be considered by the Executive at its next meeting on 10 September 2015) was presented that reviewed the existing arrangements for Devon Home Choice (the Council's current model of allocating affordable housing in the South Hams).

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

- (a) 9% of housing being allocated to people with no housing need. When questioned, the Panel was advised that a large proportion of these related to Section 106 properties which were allocated based upon local connection regardless of need. However, assurances were given that residents would need to be on the housing register in order to potentially be allocated such a property. In reply to a further question, officers informed that safeguards were in place to ensure that S106 properties were allocated to appropriate persons, however it was also acknowledged that these were not wholly infallible;
- (b) the adverts always stating the conditions of the tenancy let. The Panel was advised that it was often the case that properties were advertised (and subsequently let) on a fixed term (e.g. 3-5 years) basis;
- (c) the dramatic reduction in Band E applicants on the Housing Register being welcomed. Whilst welcoming the reduction and acknowledging that some neighbouring local authorities had excluded Band E applicants from their Registers, some Members expressed the view that such a course of action would be a mistake for this Council. To support this view, some examples were cited whereby there were Band E residents living in the district who were desperate to move house;
- (d) local housing needs in very rural villages. A Member commented that local Band E households should be included in the list of those given preference in very rural villages. In response, officers advised that if Band E households were included in this criteria then the Council would be unable to meet its statutory obligations under the Housing Act 1996;
- (e) the supply of housing. The Panel was informed that in the region of 80 affordable houses were currently being built in the South Hams each year. However, evidence suggested that there was a need to build 242 affordable houses each year. Given this gap in supply and demand, a Member expressed her surprise at the proportionate low numbers on the Housing Register. The Panel endorsed this point and requested that a benchmarking exercise be undertaken in this respect, with the findings forming part of the twelve month review;
- (f) population statistics. Members requested that they be in receipt of the latest population statistics per district council ward and per town and parish.

It was then:

RECOMMENDED

That the Executive be **RECOMMENDED** to:-

1. note the content and findings of the presented agenda report;
2. remain in the Devon Home Choice partnership, with a further review being carried out in twelve months time, with the results of a benchmarking exercise forming part of this review;
3. make no changes at this time to the Council's Local Allocation Policy, with a further review being undertaken in twelve months time.

O&S.27/15 MARITIME AND COASTGUARD AGENCY UPDATE

Further to the deferral of this agenda item at the previous Panel meeting (minute O&S.16/15 refers), a letter of response to Member questions had subsequently been received from the Maritime and Coastguard Agency (MCA). This letter had been attached to the published meeting agenda for Member information and reference.

In the subsequent debate, it became apparent that some Panel Members were dissatisfied with the response received and were therefore of the view that the Council should accept the MCA's offer to send a delegation to meet MCA representatives in Falmouth. In contrast, other Panel Members felt that the responses were sufficient and therefore queried the merits of attending a meeting in Falmouth.

On balance, the majority of Members felt that the Harbour Master should be sent a copy of the letter and asked for his views as to the merits of attending a meeting in Falmouth. In the event of the Harbour Master being of the view that a meeting would be beneficial, it was then suggested that he should accompany the Member Group to Falmouth. In addition, it was considered that the Group should comprise of a maximum of three Members and the Harbour Master.

It was then:

RESOLVED

That the Harbour Master be sent a copy of the letter of response from the MCA and be asked for his views as to the merits of attending a meeting in Falmouth; and

That, in the event of a meeting being deemed beneficial, the Member Group should comprise of a maximum of three Members and the Harbour Master.

O&S.28/15 FOLLOW-UP REPORT ON SOUTH HAMS CITIZENS ADVICE BUREAU SERVICE LEVEL AGREEMENT

An updated report was presented to the meeting in light of the Panel decision at its last meeting to revisit the South Hams Citizens Advice Bureau (SHCAB) Service Level Agreement (Minute O&S.17/15 refers).

In discussion, the following points were raised:-

- (a) A number of Members congratulated the report authors on their production of an excellent report;
- (b) A Member reiterated his concerns raised at the previous Panel meeting with regard to the decision taken by Plymouth City Council whereby residents from outside of the city boundaries were not permitted to use the Plymouth CAB service. The Panel sympathised with this view and the following addition to the recommendation was therefore **PROPOSED** and **SECONDED** as follows:

‘That the Head of Paid Service clarify the policies regarding South Hams residents in the Plymouth and Torbay hinterlands being able to use the services provided by Plymouth CAB and Torbay CAB respectively.’
- (c) The SHCAB Treasurer informed that any salary increases were attributed to additional funding received for specific projects. For example, the additional £22-23,000 salaries in the published accounts were as a consequence of a funding stream being obtained for a specific South Devon apprenticeships project;
- (d) It was noted that the most recent Outreach and Home Visitor Project SLA was in need of amending to ensure that it was accurate and up to date;
- (e) Some Members felt it to be unfair and inequitable whereby some town and parish councils gave financial contributions to the CAB whereas others did not. As a result, the Panel was of the view that the CAB should write to each town and parish council encouraging them all to provide financial contributions to the CAB.

It was then:

RESOLVED

1. That the content of the presented agenda report and the performance of SHCAB in relation to the agreed SLA's be noted;
2. That the Executive be **RECOMMENDED** that the existing SLA should be renewed for a further twelve months on the existing terms (in accordance with clause 15.2 of the SLA);
3. That Cllrs Brown, Pringle and Saltern be appointed to assist with a structured long-term review of the CAB partnerships, with a report being presented back to the Panel in due course; and
4. That the Head of Paid Service clarify the policies regarding South Hams residents in the Plymouth and Torbay hinterlands being able to use the services provided by Plymouth CAB and Torbay CAB respectively.

O&S.29/15 TRANSFORMATION PROGRAMME MONITORING

In providing a verbal progress update on the Transformation Programme, the Support Services Group Manager and lead Executive Member made reference to:-

- the processes in the new W2 System. The Panel was informed that the processes in relation to community, street scene and waste were now completed. Furthermore, the corporate lead-in time for W2 processes had been slightly extended to ensure that the impact on existing services was kept to a minimum;
- the newly appointed Support Services Specialist Manager. The lead Executive Member had already met with the recently appointed postholder and he was confident that he would prove to be an excellent appointment;
- the commencement of the Member IT project was likely to be delayed by a week due to unforeseen technical issues. In addition, as a result of Member feedback, each Member would be given the choice of receiving a Council owned iPad or retain the use of their own iPad (albeit with reduced functionality in comparison).

In general discussion, reference was made to:-

- (a) the Development Management Service. Previously raised concerns in relation to the Development Management Service were again reiterated. In reply, it was recognised that the Panel was scheduled to be in receipt of a Development Management Service update at its next meeting on 17 September 2015;

- (b) the fine balance between meeting existing operational need whilst still being able to support the Transformation Programme. A number of Members expressed the view that accuracy was far more critical than pace in respect of the Transformation Programme;
- (c) the positives already being seen by Members in respect of the Locality team.

It was then:

RESOLVED

That the progress update be noted.

O&S.30/15 CUSTOMER SERVICES STATS UPDATE

Having presented the Panel with the latest Customer Services performance comparisons, the Group Manager Customer First advised that:-

- the service had answered a further 3% more telephone calls than the previous month;
- 50% of staff were currently either temporary or in training;
- failure demand calls were now being documented;
- the self-service web portal would be going live imminently. Once in operation, this would help to reduce the number of calls being received by the Council;
- since Phase 2 of the Transformation Programme had now been completed, the Council was now in a position to advertise for 7 new members of staff.

In discussion, the following points were raised:-

- (a) To be fully competent in all service areas, officers advised that it took between 4 and 6 months for a new member of staff to be fully trained;
- (b) Some Members who had paid a visit to the Customer Contact Centre highlighted how beneficial they had found this to be and proceeded to encourage all other Members to do likewise. Assurances were given that such visits did not impinge upon the existing service;
- (c) Regardless of targets, Members felt that the onus should be on the quality of the response given to a customer rather than the time taken to answer their call;
- (d) A number of Members shared their positive experiences of the Customer Services email account facility and felt that this service was working very well.

O&S.31/15 OMBUDSMAN UPDATE AND ANNUAL REVIEW LETTER

The Panel considered a report that presented the Local Government Ombudsman's Annual Review Letter for 2015 regarding Ombudsman complaints received against the Council for the period 1 April 2014 to 31 March 2015.

In discussion, the following points were raised:-

- (a) The Panel felt it regrettable that the Council's Complaints Policy had not been included with this agenda item and was of the view that it would be timely for a review to be undertaken into the Policy;
- (b) Officers highlighted that the Senior Leadership Team (SLT) was giving great emphasis to the importance of dealing with (and reducing) the number of complaints received by the Council. SLT was in the process of rolling out a cultural shift across the organisation whereby a complaint should be considered as a project that needed to be solved. Furthermore, since the overwhelming majority of complaints received were associated with poor communication, SLT was having more proactive dialogue with the Ombudsman and actively promoting officers to say sorry (where appropriate) to complainants. The majority of staff would also be attending a mandatory Ombudsman course during October 2015;
- (c) Since the LGA had recently recommended that Overview and Scrutiny should have a real grip on complaints, Members requested that they be in receipt of more relevant information. In particular, the Panel wished to see details relating to costs, trends, number by parish and ward and numbers of stage 1 and stage 2 complaints.

It was then:

RESOLVED

- 1. That the Ombudsman's Annual Letter has been reviewed; and
- 2. That a further report be presented to the Panel meeting on 25 February 2016 which presents a review of the Council's Complaints Policy and more in-depth information relating to the complaints (to include costs, trends, number by parish and ward and numbers of stage 1 and stage 2 complaints).

O&S.32/15 TASK AND FINISH GROUP UPDATES:**(a) Performance Measures**

The Panel was informed that the first meeting of the Group had been held on Monday, 3 August 2015 and a draft report was now being prepared based upon the points made during that meeting.

(b) Dartmouth Lower Ferry

Members noted that the Group had convened its first meeting and the tender evaluation process had been concluded. As a consequence, the Council was hoping to appoint a contractor this week.

O&S.33/15 DRAFT ANNUAL WORK PROGRAMME 2015/16

The Panel considered its draft 2015/16 Work Programme and made particular reference to:-

- (a) the number of agenda items currently scheduled for the next meeting. In light of the potential length of this agenda, the following proposed agenda items were deferred to the meeting on 19 November 2015:-
 - Business Development – Projects Summary;
 - Leisure Review Update; and
 - Update report on work of RDPE – LEAF/LAG Programmes;
- (b) the complaints policy and complaints statistics agenda item being scheduled for consideration at the 25 February 2016 Panel meeting.

(Meeting started at 10.00 am and concluded at 12.40 pm).

Chairman

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MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 2 SEPTEMBER 2015

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 Tucker and Ward

Item No	Minute Ref or App. No. below refers	Officers in attendance and participating
All agenda items		Planning Officers, Legal Officer and Senior Case Manager

DM.21/15 MINUTES

The minutes of the meeting of the Committee held on 29 July 2015 were confirmed as a correct record and signed by the Chairman.

DM.22/15 URGENT BUSINESS

The Chairman advised that application **27/1159/15/F** Change of use of redundant barn to 2no dwellings, erection of garages, additional access and associated alterations Proposed development site at SX 624 562, Woodland Barn, Woodland Farm, Ivybridge, PL21 9HG had been deferred prior to the start of this meeting.

DM.23/15 DECLARATIONS OF INTEREST

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

DM.24/15 PUBLIC PARTICIPATION

The Chairman proceeded to announce that the following members of the public had registered their wish to speak at the meeting:-

- **05/1229/15/F:** Objector – Mr Norman Botton: Supporter – Mr Dan Lethbridge: Parish Council Representative – Cllr Bryan Carson: Demolition of existing dwelling and outbuildings and erection of 2 No. replacement dwellings to include creation of new access (Resubmission of planning application 05/2922/14/F) – Seafront, Marine Drive, Bigbury on Sea.

DM.25/15 **PLANNING APPLICATIONS**

The Planning Case Officers submitted details of the planning applications as presented in the agenda papers.

During discussion of the planning applications, the following motions (which were in contradiction to the planning officer recommendation in the published agenda report), were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- a) In respect of application **05/1229/15/F**: Demolition of existing dwelling and outbuildings and erection of 2 No replacement dwellings to include creation of new access (Resubmission of planning application 05/2922/14/F) – Seafront, Marine Drive, Bigbury on Sea, Kingsbridge, the Case Officer introduced the application and advised Members of an update in relation to a correction and amendment to the condition relating to the erection of a glazed screen which would now state that details were to be agreed in writing prior to commencement. He also advised that the description of the application as presented was incorrect, and should in fact refer to ‘Resubmission of planning **APPLICATION** 05/2922/14/F (rather than planning **APPROVAL**).

The Case Officer continued his presentation with plans, elevations and photographs, and then took Members through the main issues of the application. He then concluded by advising that the application was recommended for conditional approval.

The Parish Council representative advised Members that there were a number of concerns locally with the application including the size of the proposal, the design, particularly in respect of the flat roof, and the disappointment that the architect did not listen to the views of local people. He concluded with an example of a development in a similar location where the views of local people had been taken into account and the outcome was a development that was deemed acceptable.

The Local Ward Member echoed these concerns and reminded Members of the considerable local feeling against the application.

During discussion, the Members noted the importance of the site, particularly in relation to Burgh Island and felt that the application would be a disaster in terms of views from Burgh Island. The proposal was considered to be out of scale and was not of high quality design. Also, Members were of the view that it did not meet a number of development policies.

It was then **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**:-

‘That the application be refused’

Reasons:

The proposal, by reason of its design, scale, mass and appearance would result in an incongruous development which would cause significant harm to the visual character and appearance of the area, which is within the South Devon AONB, including views from Burgh Island and the beach. The proposal would be contrary to Policies DP1 and DP2 of the Local Plan and guidance contained within the National Planning Policy Framework.

DM.26/15 PLANNING APPEALS UPDATE

The Lead Planning Officer updated Members on the detail of the listed appeals.

DM.27/15 DEVELOPMENT MANAGEMENT PUBLIC PARTICIPATION SCHEME

Following a twelve month trial, the Committee received a report that sought views on whether to formally revise the public participation scheme to enable town and parish council representatives to speak on relevant applications at Development Management Committee.

The Chairman asked Members for their views and the majority of Members stated that they wished to continue the current practice of allowing town and parish council representatives to speak at Development Management Committee meetings.

In response to a suggestion that town and parish council representatives should be allowed to participate either at one of the Development Management Committee, or at site inspections, but not both, the majority of Members again agreed with this view. However, Members did state that if the town and parish council representatives attended site inspections, one of those representatives should be able to ask questions of clarity of, and make specific points to, the Chairman.

Members then discussed the time allowed for registered speakers. It was not felt appropriate that town and parish council representatives should be restricted to a shorter time than registered objectors or supporters. However, to ensure applications were presented in a timely manner, it was suggested that, in the case of linked applications being presented to the Committee, that only one time slot be applied for each of the registered speakers. For example, an application that also included a linked Listed Building application had in the past been allowed double time as a time slot was applied to each application number. In future, it was recommended that only one time slot should be permitted.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to:

1. amend the Development Management Public Participation Scheme to enable the opportunity for town and parish council representatives to speak on planning applications within their own town or parish provided that they abide by the same rules as applied for objectors and supporters;
2. Amend the Site Inspection Protocol to state that town and parish councils are able attend site inspections but would no longer be invited to make presentations. There would be an opportunity for one spokesperson representing the town or parish council to ask questions of clarity or to make specific points based on local knowledge to the Chairman; and
3. Amend the Development Management Public Participation Scheme so that linked applications presented to Committee are only allowed one time slot per speaker.

(Meeting commenced at 2.00 pm and concluded at 3:10 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 29 July 2015

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
05/1229/15/F	Seafront, Marine Drive, Bigbury on Sea	Refusal	Cllrs Vint, Bramble, Hodgson, Cuthbert, Hitchins, Pearce, Rowe, (7)	Cllr Steer (1)	Cllr Holway (1)	Cllr Brazil, Cane, Foss (3)
41/1294/15/CU	Bangwallop, 2 Island Square, Island Street, Salcombe	Conditional Approval	Cllrs Steer, Vint, Cuthbert, Holway, Hitchins, Bramble, Pearce, Rowe, Hodgson (9)			Cllr Brazil, Cane, Foss (3)

APPENDIX A

05/1229/15/F

Demolition of existing dwelling and outbuildings and erection of 2No replacement dwellings to include creation of new access (Resubmission of planning approval 05/2922/14/F)

Parish or Town Council - Bigbury

Parish Council's Views – Objection

Officer Update – Revised balcony condition suggested by the Officer

Recommendation – Conditional Approval

Recommended Conditions –

1. Time limit for commencement
2. In accordance with plans
3. Samples of materials
4. Unexpected Contamination
5. Ecological mitigation to take place prior to demolition.
6. Erection of glazed screen at a height of 2.1m on the south eastern elevation of the balcony serving Plot 1
7. Permitted Development Restrictions

Committee Decision – Refusal

41/1294/15/CU

Change of use of premises to A2 (financial and professional services)

Parish or Town Council - Salcombe

Parish Council's Views – No Objection

Officer Update – n/a

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

1. Time
2. Accord with plans
3. Removal of Change of Use Permitted Development Rights

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 10 SEPTEMBER 2015**

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

Also in attendance and participating		
Item 7	E.18/15	Cllrs Baldry, Brazil and Pearce
Item 8	E.19/15	Cllrs Baldry, Bramble, Brazil, Holway and Saltern
Item 10	E.21/15	Cllrs Baldry, Brazil and Pearce
Item 12	E.23/15	Cllrs Baldry and Pearce
Item 14	E.25/15	Cllrs Foss and Saltern
Also in attendance and not participating		
Cllrs Barnes, , Blackler, Brown, Hitchins, Rowe, Smerdon and Steer		

Officers in attendance and participating		
All items		Executive Director Strategy & Commissioning (SJ), Executive Director Service Delivery and Commercial Development (SD&CD) (SH) and Senior Case Manager (KT)
Item 7	E.18/15	COP Lead Specialist Place and Strategy (RK), Green Infrastructure Coordinator (AH)
Item 8	E.19/15	Group Manager – Business Development (DA)
Item 10	E.21/15	Senior Specialist Place and Strategy (CH)
Item 12	E.23/15	S151 Officer

E.15/15 MINUTES

The minutes of the meeting of the Executive held on 23 July 2015 were confirmed as a correct record and signed by the Chairman.

E.16/15 DECLARATIONS OF INTEREST

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

Cllr Ward declared a personal interest in item 14 ‘Reports of Other Bodies – Minutes of Overview and Scrutiny Panel held 27 August 2015’, minute reference O&S.26/15 ‘Follow Up Report on South Hams Citizens Advice Bureau Service Level Agreement’ and abstained from the vote on this item by virtue of being a member of the SH CAB management committee (Item E.25/15 refers).

E.17/15 PUBLIC QUESTION TIME

In accordance with Executive procedure rules, it was noted that the following public question had been received.

Question to Cllr Tucker from Dr John Green:

'Will the Council respond to the refugee crisis and local housing shortage by providing council tax relief to families and second home owners willing to temporarily house refugees fleeing foreign wars. And will the council identify ways of providing advice and legal support to refugees, welcoming them to South Hams'.

In response, Cllr Tucker read the following statement:

South Hams District Council is deeply moved by the refugee crisis and we are following events closely. We fully understand that people in our communities want to do all they can to support them. As far as the current situation stands, we are awaiting further information from Central Government about the role the District Council can perform in this process.

We have received enquiries from concerned residents asking to help with the situation, at this stage we are waiting to find out from central Government how refugees brought to Britain will be supported. An announcement is expected next week.

South Hams District Council continues to work with the UK Border Agency and central Government to ensure that when and if we are called upon, we are ready to move quickly to support those fleeing the conflict in Syria.

Dr Green replied that he was pleased to hear the response of the Council and felt it was important to act on behalf of the community and let central Government know that people in the South Hams were willing to welcome refugees.

E.18/15 RELEASE OF S106 FUNDS FOR OPEN SPACE, SPORT & RECREATION AND COMMUNITY AND LANDSCAPE PROJECTS

Members were asked to consider a report that sought approval for the release or allocation of s106 funds as set out within that report, including that relating to the Langage Landscape Fund.

The Portfolio Holder introduced the report and went through the key areas in detail. The Green Infrastructure Coordinator was introduced to Members and they were advised that she would support securing s106 Funds and coordinating the delivery of projects for communities. The Lead Specialist Place and Strategy advised that limited funds had been received so far, but this report was pre-empting the receipt of funds and planning for projects.

It was also agreed that sessions would be arranged with town and parish councils, prioritising those listed within the presented table, to assist with planning for projects.

Another Member raised concerns over the new s106 regulations. In reply, Members were advised that incorporating projects into Neighbourhood Plans would give more weight and that there is increasing importance in identifying specific projects to allocate s.106 funds to.

It was then:

RESOLVED

1. That the release or allocation of s106 funds for Open Space, Sport & Recreation, Community and Landscape projects (as set out in the presented agenda report), including that relating to the Langage Landscape Fund be approved;
2. That in relation to the Langage Landscape Fund, final project details will be subject to approval by Centrica, the operators of the Langage Power Station;
3. That where a Town or Parish *Open Space, Sport and Recreation Plan* is proposed that agreement of specific projects within the plan be delegated to the Assets Lead Specialist in consultation with the local Ward Member(s) and Portfolio holder;
4. That where a specific project is identified that agreement of specific details be delegated to the Assets Lead Specialist in consultation with the local Ward Member(s) and Portfolio holder; and
5. That agreement to any substitution of alternative projects to those identified in Table 1 (as outlined in the presented agenda report) be delegated to the Assets Lead Specialist in consultation with local Ward Member(s) and the Portfolio holder subject to the alternative being in accordance with the s106 agreement and meeting pooling restrictions.

E.19/15

INTRODUCTION OF A DISCRETIONARY LOCAL BUSINESS RATE RELIEF DISCOUNT POLICY

Members considered a report that made recommendations to Council in respect offering local businesses discretionary business rate relief where it was in the interest of local council taxpayers to do so.

The Portfolio Holder introduced the report and in doing so advised Members of three additional recommendations that he was proposing. These were duly seconded and included in the final recommendations.

The Leader added that this proposal brought South Hams District Council into line with neighbouring authorities in Devon who were able to offer this support to businesses. A number of Members welcomed this report and the flexibility it would give to assist businesses in specific circumstances.

One Member welcomed the report but wanted the Policy to be reviewed after one year. This proposal was also seconded.

In response to comments, the Leader also advised that this Policy should not be confused with the existing Rate Relief Panel that met to consider the granting of discounts for businesses who applied for them.

Finally the Leader agreed to contact the District Council Network to ask them to lobby central Government for small rural businesses to receive 100% rate relief.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to:

- a) offer local businesses discretionary business rate relief where it is in the interest of local Council tax payers to do so;
- b) ratify a new discretionary business rate relief policy as detailed within Appendix one and approve the rate relief application form as shown in Appendix two attached to the presented agenda report;
- c) agree the formation of a discretionary business rate relief decision panel, who will appraise and determine applications on an as-needs basis as set out in paragraph 1.6 of the presented agenda report;
- d) refer decisions made by the Panel to the Audit Committee;
- e) agree the process of inviting relevant Ward Members to meetings of the Panel;
- f) delegate authority to the Group Manager – Business Development in consultation with the Portfolio Holder to make minor legal amendments to the Policy as appropriate; and
- g) review the Policy after one year.

E.20/15

INVEST TO SAVE: GLASS BANKS AT TORR QUARRY

Members were asked to consider a report that sought approval for investment in a capital spend of a maximum of £28,000 to build three new glass storage bays at Torr Quarry in order to reduce resource requirement for glass collections/journeys across the district. It was estimated that the investment would pay back within year one.

The Portfolio Holder introduced the report.

It was then:

RECOMMENDED

1. That investment in a capital spend of a maximum of £28,000 to build three new glass storage bays at Torr Quarry in order to reduce resource requirement for glass collections/journeys across the district. It was estimated that the investment would pay back within year one;
2. That Immediate implementation in order to maximise the income which can be derived from the Councils glass recycle; and
3. That the spend be taken from the capital programme contingency reserve.

E.21/15

DEVON HOME CHOICE POLICY REVIEW

Members were asked to consider a report that reviewed the existing arrangements for Devon Home Choice – the Authority’s current model of allocating affordable housing in the district. The report summarised the experiences of other authorities who had made significant changes locally to the Devon Home Choice Policy and set out the reasons for the recommendations presented within the report.

The Portfolio Holder introduced the report and advised Members that this report had also been considered by the Overview and Scrutiny Panel at its last meeting and their recommendations were included within the presents agenda report.

In response to a question from the Deputy Leader, the Senior Specialist Place and Strategy explained the significant reduction in the number of Band E applications and advised that in future, there would be robust action in terms of keeping the register up to date.

One Member noted that many parishes within the district were small, rural and isolated, and in those instances it would be more appropriate for housing availability to be advertised to neighbouring parishes as well. The Leader reminded Members that there used to be a cascade system that included neighbouring parishes. The Senior Specialist Place and Strategy advised that the legality of incorporating a cascade system into the policy would be investigated in time for the next review.

It was then:

RESOLVED

1. That the content and findings of the presented agenda report be noted;
2. That the Council remain in the Devon Home Choice partnership, with a further review being carried out in twelve months time, with the results of a benchmarking exercise forming part of this review; and

3. That no changes be made at this time to the SHDC Local Allocations Policy, with a further review being undertaken in 12 months time.

E.22/15 **JOINT DATA PROTECTION POLICY**

Members were asked to consider a report that sought approval of the Joint Data Protection Policy and supporting codes of Practice.

The Portfolio Holder introduced the report. There being no discussion on this matter, it was then:

RECOMMENDED

That Council be **RECOMMENDED** to:-

1. approve the Joint Data Protection Policy attached at Appendix A and supporting Codes of Practice and documentation of the presented agenda report; and
2. delegate to the Monitoring officer to make minor amendments to the Codes of Practice and supporting policy documentation to reflect the emerging working practices of the Council.

E.23/15 **ANNUAL TREASURY MANAGEMENT REPORT 2014/15**

Members were asked to consider a report that set out how income from investments for 2014/15 was £137,000 which was £27,000 higher than the budget at an average return of 0.57%. The comparable performance indicator was the average 7day LIBID rate which was 0.35%.

The Portfolio Holder introduced the report. In response to a comment regarding other institutions that could be included on the Lending List, the s151 Officer confirmed that whilst other institutions were AAA rated, the Council had a policy of only investing with UK based institutions.

It was then:

RESOLVED

1. That the actual 2014/15 prudential and treasury indicators as presented in the agenda report be approved; and
2. That the Annual Treasury Management Report for 2014/15 be noted.

E.24/15 WRITE OFF REPORT – QUARTER 1 2015/16

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

The Portfolio Holder introduced the report and Members attention was directed to the additional table included in the report at the request of the Audit Committee. The s151 Officer agreed that future reports could include a breakdown of dividends received from voluntary arrangements.

It was then:

RESOLVED

1. That, in accordance with Financial Regulations, the s151 Officer had authorised the write off of individual debts totalling £57,901.27 as detailed in presented Tables 1 and 2 of the agenda report; and
2. That the write off of individual debts in excess of £5,000 totalling £131,620.03, as detailed in Table 3 of the presented report, be approved.

E.25/15 REPORTS OF OTHER BODIES**RESOLVED**

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

a) Overview and Scrutiny Panel – 27 August 2015

[Note: the recommendation arising from minute O&S.26/15 was dealt with under agenda item 7 – Minute E.21/15 above refers]

i. O&S.28/15 (2) FOLLOW UP REPORT ON SOUTH HAMS CITIZENS ADVICE BUREAU SERVICE LEVEL AGREEMENT**RESOLVED**

That the existing SLA should be renewed for a further 12 months on the existing terms (in accordance with clause 15.2 of the SLA).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.19/15 WHICH IS A RECOMMENDATION TO THE SPECIAL COUNCIL MEETING ON 10 SEPTEMBER 2015, AND E.20/15 AND E.22/15 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 8 OCTOBER 2015, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 21 SEPTEMBER 2015 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.25 am)

Chairman

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 17 SEPTEMBER 2015**

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

Other Members also in attendance:
Cllrs H D Bastone, P K Cuthbert, M J Hicks, J M Hodgson, J A Pearce, R C Steer, R J Vint and L A H Ward

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Group Manager – Commercial Services and Senior Specialist – Democratic Services
8	O&S.39/15	Place and Strategy – Lead Specialist; South Hams CVS Manager and Treasurer
9	O&S.40/15	Community Of Practice Lead Specialist – Environmental Health; Senior Community Safety Officer (South Devon and Dartmoor Community Safety Partnership); Superintendent Mayhew and Community Safety Officer.
11	O&S.42/15	Specialist Manager; Senior Planning Officer and Group Manager – Customer First
12	O&S.43/15	Specialist Manager

O&S.34/15 WELCOME

In his introductions, the Chairman welcomed Lesley Crocker (Lead Specialist – Communications and Media) to her first meeting since joining the Council recently.

O&S.35/15 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 27 August 2015 were confirmed as a correct record and signed by the Chairman.

O&S.36/15 DECLARATIONS OF INTEREST

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

Cllr P C Smerdon declared a personal interest in Item 8: 'South Hams CVS Monitoring' (Minute O&S.39/15 below refers) by virtue of being a Council appointed representative and Trustee of the CVS and remained in the meeting and took part in the debate and vote on this agenda item.

Cllr M F Saltern declared a personal interest in Item 12: 'Disabled Facilities Grants: Future Developments' (Minute O&S.43/15 below refers) by virtue of his serving on the Devon and Cornwall Housing (DCH) Community Interest Company (CIC) Board. This interest arose in light of the officer presentation making a fleeting reference to the Council's intended further approach to all Housing Associations (including DCH) to consider making a higher contribution to Disabled Facilities Grants for their tenants. Since there was no debate on that aspect of the presentation (and no vote taken), Cllr Saltern proceeded to remain in the meeting during the debate on this agenda item.

O&S.37/15 PUBLIC FORUM

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

O&S.38/15 EXECUTIVE FORWARD PLAN

There were no issues raised on the most recently published Executive Forward Plan.

O&S.39/15 SOUTH HAMS CVS MONITORING

A report was presented that allowed the Panel an opportunity to monitor the Service Level Agreement (SLA) held between the Council and the South Hams Community and Voluntary Services (CVS). The current arrangement was subject to an annual review and came to an end in March 2016.

The lead Executive Member for Customer First, the Lead Specialist – Place and Strategy and the South Hams CVS Manager undertook a combined presentation.

In the discussion following this presentation, particular reference was made to:-

- (a) the published accounts of the South Hams CVS. Some Members expressed concerns relating to the accounts. Notable concerns included: the levels of reserves being held by the organisation and the level of operating costs. In reply, the South Hams CVS Treasurer informed that the levels of reserves were actually dwindling and the staffing costs had also reduced. In conclusion, the Treasurer was of the view that the CVS was a very lean organisation and was not over-funded;
- (b) the comparative small numbers of CVS members. When considering that the South Hams had the second highest number of voluntary organisations in Devon, surprise was expressed at the low numbers of South Hams CVS members. In reply to a question, the CVS Manager confirmed that the annual fee for members was £20;
- (c) financial support from local town and parish councils. The Panel was advised that, on occasion, the CVS did write to town and parish councils asking that they consider making a contribution. Furthermore, Members were informed that in the region of five town and parish councils made financial contributions to the CVS. As a consequence, a Member was of the view that the organisation should make a formal request to every town and parish council each year seeking their financial support;
- (d) the support provided by the CVS to the Council. Whilst acknowledging that the presented agenda report did not reflect the point, officers felt that it should be highlighted that the Council had reduced its support for the voluntary and charitable sector in recent years and an extensive amount of this work had successfully migrated to the CVS. As a result, officers confirmed that they were content to stand by the comments in the presented agenda report whereby it was their view that the *'existing arrangement provided clear and tangible benefits for the Council on a good value basis'*;
- (e) the work undertaken by the CVS with the caring sector. A Member asked for it to be noted that the CVS played a vital role as an umbrella organisation for the caring sector;
- (f) the need to undertake a wider review of the Council's partnership arrangements. During the debate, it became apparent that there was a need to undertake a more detailed review of the current partnership arrangement with the CVS. It was also recognised that the Panel had endorsed a similar review of the existing arrangements with the South Hams Citizens Advice Bureau (CAB) and had established a Member Panel to assist with a structured long term review (Minute O&S.28/15 also refers).

As a consequence, the following motion was **PROPOSED** and **SECONDED**:

'That the remit of the already established CAB Member Review Panel be extended to look at the wider issue of the Council's partnership arrangements, with Cllr Barnes added to the list of Members to serve on this Panel. In addition, Members recognise the potential overlap in partnerships with West Devon Borough Council (WDBC) and therefore recommend (where appropriate) that the Review Panel meet jointly with an equivalent WDBC Member Panel.'

In making this proposal, Members felt that the initial focus should be on reviewing the existing partnership arrangements with the CAB, CVS and the Community Safety Partnership. Furthermore, the view was expressed that the onus on these reviews should be on what the Council required from its partnerships (and our expectations) rather than what the partner(s) proposed to deliver. As part of these reviews, the Panel recognised that the Council representatives on these partners would have an invaluable role to play. Finally, it was acknowledged that there was a need to take a longer term view (e.g. for the Budget 2017/18, as well as immediate impacts to next years' Budget).

When put to the vote, this motion was declared **CARRIED**.

In conclusion, and on behalf of the Panel, the Chairman thanked the lead Executive Member, officers and CVS representatives for their attendance and responses to a number of challenging questions which had been raised. Whilst the meeting had been challenging, the Chairman wished to stress that the CVS was held in high regard by the Council and it was asked that Members' gratitude be passed on to those volunteers who put in so much time and effort to the CVS.

It was then:

RESOLVED

1. That the content of the presented agenda report and the performance of South Hams CVS, in relation to the agreed Service Level Agreement, be noted;
2. That the Executive **RECOMMEND** to Council that the existing Service Level Agreement be renewed for a further twelve months on the existing terms (in accordance with clause 15.2 of the Service Level Agreement); and

3. That the remit of the already established CAB Member Review Panel be extended to look at the wider issue of the Council's partnership arrangements, with Cllr Barnes added to the list of Members to serve on this Panel. In addition, Members recognise the potential overlap in common partnerships with West Devon Borough Council (WDBC) and therefore recommend (where appropriate) that the Review Panel meet jointly with an equivalent WDBC Member Panel.

O&S.40/15 **COMMUNITY SAFETY PARTNERSHIP**

The Panel considered a report that provided Members with the opportunity to scrutinise the work of the Community Safety Partnership (CSP), as defined by Sections 19 and 20 of the Police and Justice Act 2006 and the Crime and Disorder (Overview & Scrutiny) Regulations 2009.

In her presentation, the Senior Community Safety Officer (South Devon and Dartmoor Community Safety Partnership) emphasised that the future funding for the CSP was uncertain, particularly in light of the Police and Crime Commissioners Elections, which were due to take place in May 2016.

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

- (a) In reply to a question, officers confirmed that the 'Prevent' programme was an issue for the Partnership and there had been instances of referrals made from across the South Hams, Teignbridge and West Devon area;
- (b) The Panel recognised the comments in the presented agenda report whereby monthly Licensing meetings took place in Teignbridge to bring together both Council and Police Licensing staff, Police Officers and representatives from Environmental Health, Anti-Social Behaviour and the CSP. The merits of these meetings were acknowledged and the Chairman of the Licensing Committee confirmed that he would contact officers in an attempt to establish a similar working practice for South Hams;
- (c) Some Members commented that there was a lack of Member, town and parish council and public awareness in relation to the Community Trigger. In reply, officers informed that the CSP had done little to promote the Community Trigger, as it was merely formalising an existing process. Nonetheless, reference to the Community Trigger was now on the website and the CSP would give consideration to how it could further promote its awareness;
- (d) There was a general view amongst the Members that the presented agenda report highlighted a number of longstanding projects and issues (e.g. honest truth and the Domestic Violence work). In the future, the Panel felt that it would be helpful to be made aware of any new initiatives which were being implemented by the CSP;

- (e) A Member made a plea for the CSP to recognise how unsuitable it was for the western end of the district to be policed out of Ivybridge. In reply, the Panel was advised that the Police responded to incidents by geography, with the nearest resource being tasked to deal with an incident;
- (f) For 2015/16, officers confirmed that the income to the CSP again included a £20,000 grant of Safer Communities funding from the Police and Crime Commissioner. The Chairman of the Panel informed that he was the Council representative on the Police and Crime Commissioner Scrutiny Panel and he would be very happy to feed any issues back to future meetings on behalf of the CSP. In addition, the Chairman also stated that he would be happy to attend a future meeting of the CSP if it was deemed appropriate;
- (g) As a consequence of the decision made on the previous agenda item (Minute O&S.39/15 above refers), it was highlighted that the CSP would be one of the first partnerships to be considered by the Member Review Panel.

It was then:

RESOLVED

That the report be noted and it be recognised that the Community Safety Partnership will be included in the work of the Member Review Panel into the Council's existing partnership arrangements.

O&S.41/15 TRANSFORMATION PROGRAMME MONITORING

Since the most recent monitoring report had been considered by the Panel only three weeks ago (Minute O&S.29/15 refers), it was agreed that this item could be deferred to the next Panel meeting on 19 November 2015.

O&S.42/15 DEVELOPMENT MANAGEMENT SERVICE UPDATE

The Specialist Manager conducted an update on the Development Management (DM) Service which advised of the following next steps:-

- The new operating model would be implemented towards the end of October 2015;
- DM specialist officers would be transferring their knowledge to Case Managers;
- There was a need to measure and actively reduce the backlog;
- Proactive regular updates would be given on the service backlog and new cases;
- The service would be ensuring that major applications remained on target;
- The resource allocation would be reviewed; and

- New Performance Indicators for the service were to be agreed.

During the debate, reference was made to:-

- (a) the lack of a supporting agenda report. Whilst accepting the reasons why a supporting report was not included with the published agenda, the Panel commented that it was difficult to digest the amount of information that was included in the officer presentation. As a result, the Panel requested that a further update be given to its meeting on 25 February 2016, with a detailed agenda report underpinning this agenda item;
- (b) planning enforcement. When questioned, officers confirmed that responsibility for planning enforcement rested with the Case Managers in Customer First. However, the Locality Officers were in the process of being trained to be able to deal with some enforcement cases. In response to further queries, the Group Manager – Customer First agreed to circulate a structure chart which clarified the Development Management related roles and a proactive plan for planning enforcement;
- (c) a delay in planning application related information being published on the Council website. In citing some examples, a Member felt it to be unreasonable for there to be a delay (of up to a week in some instances) in publishing information on the website;
- (d) the impact of the Locality Officers. Officers advised that the Locality workers were helping the service substantially and some real benefits were already being seen;
- (e) the outsourcing of planning applications. It was noted that no applications were now being outsourced to neighbouring local authorities and there was no future intention to follow this course of action;
- (f) the current position of the service. The Panel acknowledged the position that the service was in, however it was stated that Member confidence was starting to grow and there was evidence that the service issues were now being resolved.

RESOLVED

That the update be noted and a further report on the Development Management Service be presented to the Panel meeting on 25 February 2016.

O&S.43/15 DISABLED FACILITIES GRANTS: FUTURE DEVELOPMENTS

The Specialist Manager conducted a presentation to the Panel which set out the context and outlined the future actions which had been agreed by the Disabled Facilities Grant (DFG) Task and Finish Group.

In the subsequent discussion, the following points were raised:-

- (a) The Panel endorsed the suggestion whereby the DFG Task and Finish Group should be reconvened for one final meeting, with Cllrs Cuthbert, Holway and Pearce being retained as its Members;
- (b) In addition to keeping Dr Sarah Wollaston MP informed in this regard, Members also asked that Gary Streeter MP also be kept abreast of the issues;
- (c) Officers confirmed that there was a procedure in place for the recovery of equipment purchased (and/or the equivalent monetary value) through the Grant scheme as and when circumstances changed;
- (d) Members recognised that the Council had been very successful in the delivery of its DFG programme and officers should be congratulated as a consequence;
- (e) The Panel was of the strong view that, since the Council's funding contributions were increasing, the Central Government grant needed to proportionately reflect this trend;
- (f) For clarity, the Panel was informed that, whilst it may be considered that Housing Associations had a moral responsibility, local authorities had a statutory responsibility to fund and administer Disabled Facility Grants.

O&S.44/15 **TASK AND FINISH GROUP UPDATES:**

(a) Performance Measures

The Panel was advised that a final outcome report of the Task and Finish Group was intended to be presented to the Panel on 19 November 2015.

(b) Dartmouth Lower Ferry

It was noted that the next meeting of the Task and Finish Group had been arranged to take place at 2.00pm on Thursday, 5 November 2015. In addition, a Member visit for the Group to the Lower Ferry had been set up to be held on Monday, 19 October 2015, with Members meeting at the Ferry Office at 11.30am.

O&S.45/15 DRAFT ANNUAL WORK PROGRAMME 2015/16

The Panel considered its draft 2015/16 Work Programme and made particular reference to:-

- (a) the Devon and Cornwall Housing (DCH) annual update. Officers were tasked with contacting DCH colleagues to check on the progress with the governance review being undertaken by the organisation. It was recognised that this review would dictate when the annual update should be scheduled;
- (b) the next Development Management Service update being considered by the Panel at its meeting on 25 February 2016;
- (c) the New Homes Bonus Allocation to Dartmoor National Park Authority. It was confirmed that this agenda item would be scheduled on to the Panel meeting agenda for its next meeting on 19 November 2015;
- (d) a review of the Locality Model. The Panel requested that it be in receipt of a report that reviewed the Model at its meeting on 17 March 2016, with specific aspects covered including: how success was being measured; tangible outcomes; and costs.

(Meeting started at 10.00 am and concluded at 12.40 pm).

Chairman

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