

South Hams Council



Title:	Agenda																														
Date:	Thursday, 10th December, 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><tbody><tr><td>Cllr Baldry</td><td>Cllr Holway</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 Smerdon</td></tr><tr><td>Cllr Foss</td><td>Cllr Steer</td></tr><tr><td>Cllr Gilbert</td><td>Cllr Tucker</td></tr><tr><td>Cllr Green</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></tbody></table>	Cllr Baldry	Cllr Holway	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 Smerdon	Cllr Foss	Cllr Steer	Cllr Gilbert	Cllr Tucker	Cllr Green	Cllr Vint	Cllr Hawkins	Cllr Ward	Cllr Hicks	Cllr Wingate	Cllr Hitchins	Cllr Wright	Cllr Hodgson	
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																														
Committee administrator:	Member.Services@swdevon.gov.uk																														

1. Minutes

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to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Council held on 8 October 2015 and the Special Council meeting held on 5 November 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

17 - 24

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

8. Questions

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

(a) From Cllr Hodgson to Cllr Hicks, lead Executive Member for Business Development and the Local Plan

'Given the importance of Neighbourhood Plans to Our Plan: South Hams and the likely impact on many of them and the extended timescale that Our Plan is experiencing, can we make an additional £5,000 available to Neighbourhood Plans that are currently underway?'

9. 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 Government's 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 Pennington and Hodgson

'A review of the Freedom of Information Act 2005 is currently being undertaken under the Chairmanship of Lord Bridges. South Hams District Council consider that, in the important interests of local democracy, there will not be any charges or fees levied on applicants, as this would deter the use of the Act. Additionally, there must not be any increase in exemptions, as it would countermand the wise words of the then Lord Chancellor Lord Falconer in 2005 who described the Act as "a constitutional change of great significance, a radical and permanent change in the relationship between the citizen and government.'"

(c) By Cllrs Pennington and Hodgson

'South Hams District Council expects all statutory consultees for planning applications involving the construction of dwellings and all planning applications for industrial and commercial developments to provide written reports to be made available to all Councillors and members of the public if requested to conform with the Freedom of Information Act 2005 and the Access to Information Act 2000 in the name of local democracy. The practice of any reliance on verbal reports only should be discontinued. Similarly, all of the above requirements must be observed for licensing applications submitted to South Hams District Council Licensing Committee.'

(d) By Cllrs Hodgson and Green

'This Council will endeavour (through the LGA) to seek new legislation at National Government to enable significant increases in Council Tax for Second Homes and Holiday Homes.'

(e) By Cllrs Hodgson and Green

'This Council will continue to support the need for social and affordable housing and consider direct purchase of housing as part of its investment strategy.'

(f) By Cllrs Vint and Green

'This Council will, in order to protect small business and vulnerable residents, seek to identify where flat-rate charges for key services can be replaced by fees that correspond with ability to pay, prior to approval of the 2016/17 Budget:

- (i) by linking charges for key business services, where appropriate, to business rates or floor area; and
- (ii) by linking charges for key services for residents, where appropriate, to Council Tax bands.'

10. Devolution Draft Proposal	25 - 86
to consider a report that seeks to endorse the current approach to devolution and the drafting of proposals, their submission and negotiation of a deal for the Heart of the South West;	
11. Corporate Enforcement Policy	87 - 110
to consider a report that seeks to adopt the Corporate Enforcement Policy;	
12. Reports of Bodies	
to receive and, as may be necessary, approve the recommendations of the under-mentioned Bodies:-	
* Indicates minutes containing recommendations to Council.	
(a) Development Management Committee-23 September 2015	111 - 124
(b) Audit Committee - 24 September 2015	125 - 130
(c) Salcombe Harbour Board* - 28 September 2015	131 - 140
(d) EXECUTIVE* - 15 OCTOBER 2015	141 - 150

(NB. the Council Tax Reduction policy document which underpins recommendation E.34/15 is available upon request from Member Services)

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(e) Development Management Committee- 21 October 2015	151 - 162
(f) Salcombe Harbour Board - 2 November 2015	163 - 168
(g) Licensing Committee* - 12 November 2015	169 - 172
(h) Development Management Committee- 18 November 2015	173 - 182
(i) Overview & Scrutiny Panel* - 19 November 2015	183 - 196