

SOUTH HAMS EXECUTIVE



Minutes of a meeting of the **South Hams Executive** held on **Thursday, 10th September, 2015** at **10.00 am** at the **Cary Room - Follaton House**

Present: **Councillors:**

Chairman Cllr Tucker
Vice Chairman Cllr Ward

Cllr Bastone
Cllr Hicks

Cllr Gilbert
Cllr Wright

In attendance:

Councillors:
Cllr Baldry
Cllr Barnes
Cllr Blackler
Cllr Bramble
Cllr Brazil
Cllr Brown
Cllr Foss

Cllr Hitchins
Cllr Holway
Cllr Pearce
Cllr Rowe
Cllr Saltern
Cllr Smerdon
Cllr Steer

Officers:

Executive Director – Strategy & Commissioning
Executive Director – Service Delivery & Commercial Development
Group Manager – Business Development
CoP Lead – Place & Strategy
Senior Specialist – Place & Strategy
Green Infrastructure Co-ordinator
S151 Officer

15.

Minutes

E.15/15

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

16. **Declarations of Interest**

E.16/15

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).

17. **Public Question Time**

E.17/15

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.

18. **Release of s106 Funds for Open Space, Sport & Recreation and Community and Landscape projects**

E.18/15

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.

19.

Introduction of a Discretionary Local Business Rate Relief Discount policy

E.19/15

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.

20. **Invest to Save: Glass Banks at Torr Quarry**

E.20/15

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.

21. **Devon Home Choice and Local Allocations Policy Review**

E.21/15

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.

22. Joint Data Protection Policy

E.22/15

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.

23. Annual Treasury Management Report 2014/2015

E.23/15

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.

24. **Write Off Report (Q1 2015/16)**

E.24/15

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.

25. **Reports of other bodies**

E.25/15

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).

The Meeting concluded at 11.25 am

Signed by:

Chairman
