

**MINUTES OF THE SPECIAL MEETING OF THE SOUTH HAMS DISTRICT
COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 25 FEBRUARY
2016**

MEMBERS

* Cllr I Bramble – Chairman

* Cllr P C Smerdon – Vice-Chairman

* Cllr K J Baldry	* Cllr N A Hopwood
* Cllr H D Bastone	* Cllr D Horsburgh
* Cllr J I G Blackler	* Cllr D W May
* Cllr J Brazil	* Cllr J A Pearce
* Cllr D Brown	* Cllr J T Pennington
* Cllr B F Cane	* Cllr K Pringle
∅ Cllr P K Cuthbert	* Cllr R Rowe
* Cllr R J Foss	* Cllr M F Saltern
* Cllr R D Gilbert	* Cllr R C Steer
* Cllr J P Green	* 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
∅ Cllr T R Holway	

* 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, S151 Officer and Senior Specialist – Democratic Services

62/15 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 were none made.

63/15 PROPOSALS RELATING TO A LOCAL AUTHORITY CONTROLLED COMPANY

A report was considered that proposed that a detailed business case and implementation plan be produced to enable further consideration of the merits of establishing a Local Authority Controlled Company (LACC) jointly with West Devon Borough Council.

In discussion, reference was made to:-

- (a) the recommendation only seeking approval at this stage to develop a business case and implementation plan. As a consequence, assurances were given that the Council would re-consider this subject matter again for a final decision once this piece of work had been produced;
- (b) some concerns being expressed over the proposals relating to a LACC. Specific concerns that were raised included:-
- the agenda report appearing to indicate that a LACC was the only future option available to the Council. Some Members were of the view that officers should be researching at least two different options;
 - the timing of undertaking this piece of work. A Member highlighted some of the current weaknesses in the Council's service delivery and consequently queried who would buy our services at this moment in time. As a result, the Member strongly urged the Council to focus on firstly improving its own service delivery before then exploring the merits of establishing a LACC;
 - the assumption that the Council could not find further efficiencies yet a LACC could;

- (c) an amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:-

'That both councils spend a combined maximum of £25,000 towards undertaking a scoping plan, with the plan including a comparative analysis being undertaken on the merits of an in-house trading arm.'

In support of the amendment, the proposer felt that the budget provision of £150,000 per Council was a massive risk for the authority to be taking at this time.

However, when put to the vote, the amendment was declared **LOST**;

- (d) the detailed business case and implementation plan. A Member hoped that the business case and implementation plan would produce a clear and unambiguous set of recommendations, which were neither subjective nor open to different interpretations.

It was then:

RESOLVED

1. That a detailed business case and implementation plan be produced to enable further consideration of the merits of establishing a Local Authority Controlled Company jointly with West Devon Borough Council to deliver services for South Hams District Council and West Devon Borough Council, and to other organisations as contracts are won; and

2. That both Council's costs for the preparation of the detailed business case and implementation plan of £300,000 are met from a budget provision of £150,000 being set aside by both Councils for this purpose, and that draw down of these funds be delegated to the Executive Director (Service Delivery and Commercial Development), in consultation with the Leader and the lead Executive Member for Support Services.

64/15

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 7 of Schedule 12A to the Act is involved.

65/15

PLANNING ENFORCEMENT

The Council considered an exempt report that sought to approve the Planning Enforcement plan to address the backlog of cases within a twelve month time period.

In introducing the motion, the proposer and seconder of the recommendation made reference to three updates which they wished to see incorporated in the action plan (section 5 of the presented agenda report refers). These were namely:-

- That paragraph 5.4 be deleted;
- That paragraph 5.6 be updated whereby the team would seek to close approximately 35-50 cases per month and not 20-30 cases; and
- That paragraph 5.8 also be updated to include reference to the team being subject to performance management meetings on a weekly basis.

During the ensuing debate, an additional recommendation was also **PROPOSED** and **SECONDED** to read as follows:-

'That local Ward Members are copied into any resolution correspondence related to planning enforcement cases in their local wards.'

When put to the vote, this amendment was declared **CARRIED** and therefore became part of the substantive motion.

It was then:

RESOLVED

1. That the Planning Enforcement plan (as amended in the detailed minutes above) be approved to address the backlog of cases within a twelve month period;
2. That the costs for resourcing the planning enforcement team (as outlined in the financial implications of the presented agenda report) be met from the Planning Policy and Major Developments Earmarked Reserve; and
3. That local Ward Members are copied into any resolution correspondence related to planning enforcement cases in their local wards.

(Meeting commenced at 10.00 am and concluded at 11.00 am)

Chairman