

**MINUTES OF A MEETING OF  
THE EXECUTIVE  
HELD AT FOLLATON HOUSE ON THURSDAY 1 FEBRUARY 2018**

<b>Members in attendance:</b>			
<b>* Denotes attendance</b>			
<b>Ø Denotes apologies for absence</b>			
*	Cllr H D Bastone	*	Cllr R J Tucker
*	Cllr R D Gilbert	*	Cllr S A E Wright
*	Cllr N A Hopwood	*	Cllr K R H Wingate

<b>Also in attendance and participating</b>		
Item 6	E.60/17	Cllrs Green, Pennington, Saltern, Baldry
Item 7	E.61/17	Cllrs Baldry, Bramble, Brazil, Pennington
Item 8	E.62/17	Cllrs Baldry, Bramble, Brazil, Green, Pearce, Saltern
Item 9	E.63/17	Cllrs Baldry, Brazil, Cuthbert, Holway, Huntley, Pennington, Pearce, Rowe
Item 10	E.64/17	Cllrs Bramble, Brazil, Green, Pennington
Item 11	E.65/17	Cllrs Baldry, Green, Holway, Pennington, Rowe, Saltern
Item 13	E.67/17	Cllrs Bramble, Hawkins, Holway, Cuthbert, Saltern, Smerdon
Item 14	E.68/17	Cllr Green
<b>Also in attendance and not participating</b>		
Cllrs Hicks, Steer		

<b>Officers in attendance and participating</b>		
All items		Executive Director (Strategy & Commissioning), and Specialist – Democratic Services
Item 6	E.60/17	S151 Officer, CoP Lead Finance
Item 7	E.61/17	S151 Officer, CoP Lead Finance, Group Manager Commercial Services
Item 8	E.62/17	S151 Officer, CoP Lead Finance
Item 9	E.63/17	S151 Officer, CoP Lead Finance, Group Manager Commercial Services, Group Manager Customer First and Support Services, CoP Lead Development Management
Item 11	E.65/17	Specialist – Assets and Place Making
Item 13	E.67/17	Senior Specialist Environmental Health
Item 14	E.68/17	CoP Lead Development Management

**E.57/17 MINUTES**

The minutes of the Executive meeting held on 7 December 2017 were confirmed as a true and correct record and signed off by the Chairman.

**E.58/17      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 R F D Gilbert declared a Disclosable Pecuniary Interest in para. 6.24 of Item 9: Budget Proposals Report 2018-19, and he left the meeting for the debate and vote on this specific aspect of the Budget item.

**E.59/17      PUBLIC QUESTION TIME**

It was noted that the following public questions had been received from Mr Rick Gaehl:

*Question 1: The stated cost to SHDC of the 'One Council' consultation is £12,828, but this figure does not appear to include any staff costs. Can the Committee discover and confirm:*

- a) details and costs of work by Council staff on the merger?*
- b) details and costs of any new staff required to work on the merger?*

In response, the Leader advised that the costs of the consultation exercise were reported to the Overview and Scrutiny Panel on 12 October, 2017. This was for the website, postcards, telephone survey and events. In addition to these costs, a further £4,000 was spent on advice on council tax equalisation and £6,188 was spent on project officer time. These costs are the South Hams share only of the costs. Council officers are not required to complete time sheets or to time-record. The projects that Council officers were involved in were all part of their everyday role and duties which were set out in their job descriptions. The Council employed officers to carry out these roles e.g. Strategic projects.

*Question 2: Council reports indicated the merger would save SHDC £0.5M pa from "staff efficiency reductions" and that these would affect 'less than 10 [staff] roles'. Can the Committee confirm the affected roles, how they would have been affected and the salaries of those roles?*

In response, the Leader advised that by removing the complexities inherent in serving two Councils; a single Council would have had a less complex and costly administration.

Becoming One Council would have meant releasing some capacity absorbed by serving two bodies. This would have reduced the amount of time spent on complex or duplicated processes. Financial systems would be simpler, with single reporting requirements and a removal of the complexities of recharging money between both Councils and the need for two sets of Accounts and reconciliations (such as bank reconciliation, control account reconciliations, shared service reconciliations).

The main areas of duplication were in finance, case management (support services), senior management team, democratic services and areas such as elections. The staff efficiency reductions were anticipated to generate £370,000 of savings per annum. It was not felt appropriate to specify individual roles and salaries as it was hoped that the reduction in posts could have been largely addressed through natural turnover in these areas.

In addition to these savings, savings from having one financial ledger (£25,000) and a reduction in subscriptions/memberships and audit fees would have saved another £60,000. Further savings of £85,000 per annum were also projected from a 20% reduction in Members.

*Question 3: Officers reportedly had 'severe concerns over the future financial stability' of SHDC if the merger did not occur. Is the Committee able to confirm:*

- a) predicted deficits for 2018/19, 2019/20 and beyond 2020/21?;*
- b) how the Council proposes to reorganise?;*
- c) how the merger would have avoided deficits?;*
- d) if there is any plan for a Council Tax referendum?*

In response, the Leader advised that:

- a) For SHDC the Council had put forward proposals for a balanced budget in 2018/19 as set out in the Executive report of 1 February, 2018, which was a legal requirement. The predicted deficits are £639,000 in 2019/20 and £561,000 in 2020/21 – a total of £1.2million.
- b) Tough decisions would need to be made on reducing service provision. The budget report for 2018/19 made clear that a decision needed to be made on public conveniences for example in the 2019/20 budget. The Council would be examining other ways to generate more income and be more commercial. Through the joint waste procurement, there would be options for Members regarding the frequency of waste collection in the future e.g. Three weekly, options for optimising the trade waste service, alongside other options such as charging for garden waste. The Council's asset portfolio was being reviewed and options were being drafted for Members as to potential future opportunities. The Council was working in partnership with Eastbourne Borough Council on innovative option appraisals and development opportunities as to how the Council could optimise its asset base.
- c) The Single Council would have realised over £0.5million per year from staffing and other efficiencies plus increased council tax income of £2.5million per year (by the end of the equalisation period) which would have contributed towards the funding gap and improving valued services, providing a strong resilient financial base. A single asset strategy for the Single Council would have been produced, to maximise assets across the whole area of South Hams and West Devon. Longer term savings could have been delivered from a future decision to operate from one main office for example. There would have been an opportunity to derive savings from new contracts and systems requirements when the dual arrangements were replaced by cheaper single contractual relationships.

- d) No. The current proposal is to increase council tax by £5 for 2018/19, as set out in the Executive report of 1 February 2018.

*Question 4: Given that the financial case presented in the consultation and other briefings was apparently unanswerable why does this Committee think:*

- a) so many South Hams residents objected to the merger proposal?;*
- b) West Devon councillors rejected the merger proposal?*

In response, the Leader advised that over 80,000 residents did not respond, so clearly they were the silent majority.

*Question 5: Do members of this Committee believe that the embarrassing public failure of this merger, which wasted considerable public funds, means the current Council leader Mr Tucker should stand down?*

(At this point the Leader left the room).

The Deputy Leader then gave the following response:

This authority is facing unprecedented financial pressures. We are all aware of the need to meet these pressures and I am enormously privileged to work alongside a Leader that puts this authority before political gain. Our Transformation 18 Programme places us the envy of a great many local authorities. I do not consider the outcome of the consultation as embarrassing, disappointing maybe. However, we do know through that consultation, on the whole, our residents are happy with the services provided by this authority. So to sum up my answer – a very firm No.

(Upon the conclusion of the response, the Leader returned to the meeting).

*Question 6: Is this Committee aware that the web pages containing the procedure for submitting public questions at Executive and other committee meetings do not contain either an email address to which one should submit questions or a telephone number for member services? Will the committee direct that these web pages are updated to contain relevant email addresses and telephone numbers?*

In response, the Leader advised that the Executive was aware that a number of the 'How You Can Get Involved' pages on the Council website did not contain relevant contact details up until recently. This was an unfortunate consequence of a number of webpages being transferred from an old to a new website towards the end of last year and had now been rectified.

E.60/17

**REPORTS OF OTHER BODIES****RESOLVED**

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

a) **Joint Development Management and Overview and Scrutiny Panel – 18 January 2018**

i. **OSDM.2/17 REVIEW OF FEES AND CHARGES**

**The Executive noted the recommendations under this item for consideration with the Budget report later on the agenda (Item 9: Revenue Budget Proposals 2018/19)**

That the Executive **RECOMMEND** to Council that:-

1. the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports be approved;
2. the proposed Environmental Health Charges that are outside of the jurisdiction of the Licensing Committee be approved;
3. the proposed Fees and Charges for Development Management (as set out in Appendix C of the presented agenda report) be approved;
4. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees to take account of market conditions, including competitor charges;
5. it approves:
  - an overall percentage increase of 2% to car park charges and to delegate responsibility of implementing the increase to the Group Manager for Commercial Services, in consultation with the lead Executive Member, following consultation with representative bodies (including town and parish councils); and
  - the withdrawal of weekly parking tickets;
6. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Commercial Waste charges, once all the price modelling factors are known;

7. delegated authority be given to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Public Conveniences 'Pay on Entry' charges (which should not exceed 20 pence), following completion of works and a review of appropriate charges; and
8. the changes to Boat Storage Charges (as set out in paragraph 3.7 of the presented agenda report) be approved.

**ii. OSDM.3/17 BUDGET PROPOSALS REPORT 2018/19**

It was then **RESOLVED** that Executive **RECOMMEND** to Council:

- a) That the views of the Joint Meeting be taken into account during the 2018/19 Budget Setting Process; and
- b) The unfairness of Central Government Funding for Shire District Councils be brought to the attention of our local MPs, with them both being encouraged to ask a parliamentary question on this point during the weekly Prime Ministers' Question Time

**iii. OSDM.4/17 PLANNING ENFORCEMENT SERVICE REVIEW**

It was then **RESOLVED** that:

1. the Local Enforcement Plan (as outlined at Appendix 1 of the presented agenda report) be adopted;
2. the Planning Engagement Member Engagement Protocol (as outlined at Appendix 2 of the presented agenda report) be adopted;
3. the proposed Actions (as set out in Section 4 of the presented agenda report) be endorsed; and
4. authority be delegated to the Community Of Practice Lead Development Management, in consultation with the lead Executive Member for Customer First, to make any minor amendments to the Plan, Protocol and Actions prior to their adoption.

## E.61/17 **QUARTER 3 REVENUE BUDGET MONITORING 2017/2018**

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2017/18, and provided a forecast for the year end position.

The Lead Member for Support Services introduced the report. Relevant Portfolio Holders responded to questions of clarity, and Members discussed the issue of the cost of agency staff, particularly in relation to Commercial Services. The Group Manager Commercial Services responded that the overspend on agency costs had arisen as a result of extraordinary circumstances and not to cover holidays and sickness.

It was then:

### **RESOLVED:**

- 1) That the forecast income and expenditure variations for the 2017/18 financial year and the overall projected underspend of £103,000 (1.2% of the total budget £8.346 million) be endorsed; and
- 2) That Council be **RECOMMENDED** to transfer the income surplus (of up to £20,000) into a Support Services Trading Opportunities Earmarked Reserve at the end of the 2017/18 financial year. This is expected to be £20,000 and was generated by HR and Finance in providing support to other Councils on their Transformation Programmes;
- 3) That Council be **RECOMMENDED** to transfer the underspend on the Leisure budget (of up to £87,000) into a Leisure Earmarked Reserve at the end of the 2017/18 financial year;
- 4) That Council be **RECOMMENDED** to transfer £50,000 of the additional planning income into the Planning Policy & Major Developments Earmarked Reserve at the end of the 2017/18 financial year.

## E.62/17 **CAPITAL PROGRAMME MONITORING**

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

The Lead Member for Support Services introduced the report. During discussion, the following points were raised:

- The Leader brought Members' attention to the amount that had been spent on coastal assets and advised that the Council was working closely with the Environment Agency on obtaining grant funding;

- One Member raised concerns that the project to replace play equipment was behind schedule. In response, officers took responsibility for the slippage (this was due to capacity) and confirmed that the work would proceed and consultation would take place;
- A local Ward Member for Ivybridge asked that the matter of the Old Fire Station Playgroup building be considered as the building was situated at the gateway to Ivybridge and did not give a good impression. The Senior Specialist Environmental Health confirmed that this building fell within an area currently undergoing a transport assessment, as part of a project related to air quality management;
- One Member asked that the cost of wheelie bins on new developments be included within s106 Agreements and it was agreed that this would be investigated. The Waste Working Group had independently agreed that any new requests for bins would result in a charge;
- A Member asked if there were any controls or monitoring that could be undertaken in relation to Occupational Health recommendations for Disabled Facilities Grants, with regard to Disabled Facilities Grants, it was asked whether the Better Care Fund could be spent on improving the condition of properties;
- One Member asked that, in considering options for Whitestrand car park and development of the Harbour Office, that the option of closing the car park during July and August be considered;
- In response to a query regarding when work would commence at Quayside Leisure Centre, Members were advised that the project would commence in May 2018.

It was then:

**RESOLVED:**

- 1) That the Monitoring Report be endorsed; and
- 2) That Council be **RECOMMENDED** that £145,000 of the capital programme contingency budget of £300,000 is approved to be allocated to the capital projects as set out in exempt Appendix B.

E.63/17

**BUDGET PROPOSALS REPORT 2018/19**

Members were presented with a comprehensive report that set out how the Council's Medium Term Financial Position was based on a financial forecast over a rolling five year timeframe to 2022/23. The Council had continued to work in partnership with West Devon Borough Council to achieve savings. However, the Councils continued to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending. The report set out the options for closing the budget gap.



The Leader introduced the report. In so doing, he advised that the Executive were proposing to make four adjustments to the recommendations arising from the joint meeting of the Development Management Committee and Overview and Scrutiny Panel. These were as follows:

1. Community Reinvestment Fund – would be completely removed;
2. Accepting payment by cash or cheque – would be stopped with effect from 1 April 2018;
3. The subscription to South West Councils would continue; and
4. The payment to the Local Enterprise Partnership would continue.

During discussion on this item, Members asked a number of questions of clarity. A number of Members were concerned at the proposal to transfer or close public conveniences. There were also concerns that savings made in some areas could be lost in the increasing costs of providing front line services in Commercial Services. The Group Manager Commercial Services explained that there were a number of trends nationally and locally that caused the waste budget to be volatile. The current procurement exercise would allow the Project team to look at the current base budget and make comparisons against local costs, national trends and alternative service solutions.

It was then:

**RESOLVED** that Council be **RECOMMENDED**:

- i) To increase Council Tax by £5 (which equates to a Band D council tax of £160.42 for 2018/19, an increase of £5 per year or 10 pence per week – as shown in 5.12). This equates to a Council Tax Requirement of £6,072,207.
- ii) That the financial pressures in Appendix B of £895,700 be agreed
- iii) That the £10,000 discretionary budget bid for the Citizens Advice Bureau be agreed;
- iv) That the schedule of savings identified in Appendix B totalling £689,350 be agreed;
- v) To approve the budget proposals for Public Conveniences as set out in 6.11, 6.23 and 6.24 (This requires a decision as part of the 2018-19 budget process, due to the implementation timescales).
- vi) That the Collection Fund Surplus of £73,000 as shown in Appendix B be agreed ;

- vii) That the level of contributions to reserves to be included within the Authority's budget, as set out in Appendix C be agreed (this includes using £721,688 of New Homes Bonus funding to fund the 2018-19 Revenue Budget and a contribution of £475,000 into an Economic Regeneration Projects Earmarked Reserve);
- viii) To withdraw the Community Reinvestment Projects budget of £153,900 in 2018/19 onwards (This was previously funded by New Homes Bonus funding as set out in Appendix E)
- ix) To delegate to the S151 Officer, in consultation with the Leader and Executive Member for Support Services to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Fund for 18/19
- x) To ring-fence £3.5 million from the Business Rates Retention Earmarked Reserve for employment for the creation of local jobs and to better support the local economy, as per Appendix D
- xi) That the Council Tax Support Grant paid to Town and Parish Councils is reduced by 9.85% for 2018/19 as per Appendix A. This equates to a payment of £82,615 for 2018/19.
- xii) That the Council should set its total net expenditure for 2018/19 as shown in Appendix B as £8,902,590.
- xiii) That the minimum level of the Unearmarked Revenue Reserves is maintained at £1,500,000 as per Section 9.
- xiv) That the level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates are noted. This is a requirement of Part 2 of the Local Government Act 2003.

E.64/17

**CAPITAL BUDGET PROPOSALS FOR 2018/19**

Members were presented with a report that set out the capital bids to the 2018/19 Capital Programme totalling £2,555,000 and a suggested way that the Bids could be funded. All items were based on budget estimates and would be subject to the normal project appraisal procedures.

The Leader introduced the report. One Member asked that in refurbishing the industrial units at Garden Mill, that consideration be given to putting solar panels on the roofs.

It was then:

**RESOLVED**

That Council be **RECOMMENDED** that:

1. the Capital Programme Proposals for 2018/19, which total £1,200,000 (Appendix A), be approved;
2. the Capital Programme Proposals for 2018/19, which total £1,355,000 (Exempt Appendix B) be approved;
3. the 2018/19 Capital Programme of £2,555,000 be funded from the sources as set out in section 4 of the presented report.

#### E.65/17 **COMMUNITY REINVESTMENT PROJECTS FUND 2017/18 GRANT ALLOCATIONS**

Members were presented with a report that set out a summary of applications received to the Community Reinvestment Project Fund in 2017/18, along with the officer assessment and recommendations.

The Lead Member for Customer First introduced the report. During discussion, some Members raised concerns over specific recommendations and whether the criteria for the Fund had been met. The Lead Member for Support Services confirmed that legal advice had been sought in relation to the project within a church building, and it was felt that the project was acceptable because the applicant had confirmed that they place no restriction on which groups or individuals can book the facility, regardless of their religious orientation or beliefs. One Member felt that the Grant Allocations were to towns at the expense of villages and the report should be deferred and the applications reconsidered.

It was then:

#### **RESOLVED**

That eight grant applications totalling £153,900 from the 2017/18 Community Re-Investment Project Fund, as set out in the presented appendix, be approved.

#### E.66/17 **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.

The Lead Member for Support Services introduced the report.

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 £68,188.13 as detailed in Tables 1 and 2 of the presented agenda report; and

2. That the write off of individual debts in excess of £5,000 totalling £12,277.16 as detailed in Table 3 of the presented report be approved.

## E.67/17 **AIR QUALITY STRATEGY**

Members were presented with a report that set out a draft Air Quality Strategy, devised in co-ordination with Devon County Council, and sought approval to present the Strategy for consultation.

The Leader introduced the report, and the Senior Specialist Environmental Health responded to a number of questions. Members raised a number of points during discussion as follows:

- The issue of emissions from commercial vehicles;
- Whether the Kingskerswell bypass had improved the traffic and air quality issues in Totnes;
- In response to a question about the A38, the Executive Director (S&C) advised Members that strategic discussions about travel routes into the south west took place at the LEP meetings; and
- Green travel vouchers being a waste of time and money and should not be considered a mitigation or solution.

To conclude, the Leader advised that this was a consultation document and Members were able to make their comments as part of the consultation.

It was then:

**RESOLVED** that Council be **RECOMMENDED** that:

- a) A public and statutory consultation be commenced on the proposed Air Quality Strategy (at appendix 1 of the presented agenda report); and
- b) Authority be delegated to the Senior Specialist Environmental Health in consultation with the Leader to make minor amendments to the document prior to its publication.

## E.68/17 **LOCAL VALIDATION LIST FOR PLANNING APPLICATIONS**

Members were presented with a report that sought approval of the revised Local Validation List for planning applications, following a review that had been undertaken. The National Planning Policy Framework set out that local authorities should publish a list of their information requirements for planning applications.

The Lead Member for Customer First introduced the report. In so doing, he asked that an additional recommendation be added that gave delegated authority for minor amendments to be made. The CoP Lead Development Management responded to questions and confirmed that the revised list was clearer, and enabled officers to be more robust in the level of information required.

It was then:

**RESOLVED** that:

- a) The revised local validation list be approved; and
- b) Authority be delegated to the CoP Lead Development Management in consultation with the Lead Member for Customer First to make minor amendments to the document prior to its publication.

***(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.60/17, E.61/17, E.62/17 (2), E.63/17, E.64/17 AND E.67/17 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 22 FEBRUARY 2018, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 12 FEBRUARY, 2018 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).***

(Meeting commenced at 10.00 am and concluded at 12.55 pm)

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Chairman