

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 26 APRIL 2018**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr H D Bastone	*	Cllr R J Tucker (Chairman)
*	Cllr R D Gilbert	*	Cllr S A E Wright (Vice Chairman)
*	Cllr N A Hopwood	*	Cllr K R H Wingate

Also in attendance and participating		
Item 6	E.81/17	Cllr Pearce
Item 7	E.82/17	Cllrs Baldry and Pennington
Item 8	E.83/17	Cllrs Pearce, Pennington and Saltern
Item 9	E.84/17	Cllrs Brazil and Pearce
Item 10	E.85/17	Cllrs Brazil, Cuthbert and Pearce
Item 11	E.86/17	Cllr Brazil
Item 12	E.87/17	Cllrs Brazil and Cuthbert
Item 13	E.88/17	Cllrs Baldry, Bramble and Cuthbert
Also in attendance and not participating		
Cllrs Blackler and Vint		

Officers in attendance and participating		
All items		Group Manager Customer First and Support Services and Specialist – Democratic Services
Item 6	E.81/17	Commissioning Manager
Item 7	E.82/17	Commissioning Manager
Item 8	E.83/17	Senior Specialist Environmental Health; Specialist Manager
Item 9	E.84/17	Operational Manager Environment Services
Item 10	E.85/17	Senior Specialist Environment Services; COP Lead Assets
Item 11	E.86/17	Group Manager Commercial Services
Item 12	E.87/17	Senior Specialist Assets
Item 13	E.88/17	COP Lead Development Management

E.77/17 MINUTES

The minutes of the Executive meeting held on 15 March 2018 were confirmed as a true and correct record and signed off by the Chairman.

E.78/17 URGENT BUSINESS

The Chairman allowed one item of urgent business that was deemed urgent because it required a response to a consultation and the deadline for that response was 4 May 2018.

He outlined to Members that the Department for Transport was currently consulting on changes to legislation that would adversely impact community transport organisations in that they would no longer have a dispensation in respect of particular sections of the regulations that applied to commercial transport operators. The consultation had arisen as a result of some community transport organisations taking business from commercial operators. However, the impact on rural community transport organisations could be significant.

Members agreed that a letter be sent in response to the consultation that supported the view taken by Devon County Council, and also that Members should lobby their local MPs.

E.79/17 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 Hopwood declared a disclosable pecuniary interest in Item 8: Devon Wide Housing Assistance Policy and left the meeting for the duration of the debate and vote on this item;

Cllr Gilbert declared a disclosable pecuniary interest in Item 10: Procurement of Pay on Entry Equipment for Public Toilets/Disposal of Toilets, should the Ferry Steps at East Portlemouth become the subject of debate. At the appropriate time, he left the room and did not take part in the debate and did not vote on the related recommendation;

In respect of Item 10: Procurement of Pay on Entry Equipment for Public Toilets/Disposal of Toilets, the Deputy Monitoring Officer had granted a dispensation to enable those Members of the Executive whose Wards were included within the report, to be able to take part and vote on the recommendations. Without the dispensation, the meeting would have been inquorate for this item in accordance with Executive Procedure Rule 1.9.4.

E.80/17 PUBLIC QUESTION TIME

It was noted that no public questions had been received for consideration at this meeting.

E.81/17 CORPORATE STRATEGY REVIEW

Members were presented with a report that introduced a new, refreshed and more focused five year Corporate Strategy, for recommendation to Council.

The Leader introduced the report and responded to questions and Members discussed the importance of the delivery plans that would underpin the strategy.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to adopt and publish the South Hams Corporate Strategy.

E.82/17 ANNUAL REPORT 2017/18

Members were presented with a report that sought recommendation to Council for approval of the Annual Report. The Report reviewed the Council's progress over the last financial year and also set the scene for the upcoming year ahead.

The Leader introduced the report and responded to a number of questions of clarity. He noted that the report set out how much work had been undertaken and the opportunities going forward.

It was then:

RESOLVED

- 1) That the progress and achievements made by the Council be noted; and
- 2) That Council be **RECOMMENDED** to adopt and publish the South Hams Annual Report (as presented at Appendix A) for the financial year 2017/18.

E.83/17 DEVON WIDE HOUSING ASSISTANCE POLICY

Members were presented with a report that set out how Disabled Facilities Grant (DFG) funding had increased and outlined the proposals to utilise the increased funding with the aim of ensuring that vulnerable individuals could remain safe and healthy in their own home.

The Lead Member for Customer First introduced the report. During discussion, Members sought clarity on the funding. One Member asked whether Housing Associations were approached for assistance, but in response another Member noted that Housing Associations had no obligation to do so. The Senior Specialist Environmental Health outlined how officers were working together with Occupational Therapists to enable a better understanding of the issues for all parties.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that the existing Homes Assistance Policy be updated and then adopted in line with the Devon Housing Assistance Policy.

E.84/17 PARKING REVIEW

Members were presented with a report that requested a recommendation to Council in respect of changes to the Pay and Display charges as set out in presented Appendix 1. The report also sought approval to include the newly created reserved parking bays at Batson Creek, Salcombe to the Parking Order.

The Lead Member for Commercial Services introduced the report. In responding to questions he confirmed that annual permits for the reserved bays at Batson Creek, Salcombe were only annual permits and did not establish ongoing rights to the spaces.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that the following amendments are made to the South Hams Off-Street Parking Places Order:

1. Pay & Display charges be amended in accordance with Appendix 1, following consultation with local communities; and
2. Newly created reserved parking bays at Batson Creek, Salcombe, as shown on Appendix 2, are incorporated.

E.85/17 PROCUREMENT OF PAY ON ENTRY EQUIPMENT – PUBLIC TOILETS/DISPOSAL OF TOILETS

Members were presented with a report that addressed three unrelated issues to do with public toilets owned by the Council, and dealt with each issue separately. Those issues were the procurement of pay on entry equipment for installation in selected toilets, the closure of selected toilets and the disposal or transfer of selected toilets.

The Lead Member for Commercial Services introduced the report and the Senior Specialist Environment Services responded to questions of clarity. The Leader then requested an additional recommendation that the public conveniences at Ferry Steps, East Portlemouth be included for pay on entry on a seasonal basis. This additional recommendation was agreed.

During discussion, one Member asked that the toilets at Hope Cove be considered for pay on entry. Officers agreed to consider this proposal.

Another Member stated that he did not agree with pay on entry public toilets and was concerned that there was no business case to consider. In response, the Group Manager Commercial Services advised that indications were that there would be a two year payback period on the investment, which could be lower for those toilets with greater use.

The Deputy Leader then proposed an amendment to the published recommendation that deleted the last two lines of recommendation 4 and replaced with 'any final toilet closure proposals should be brought back to the Executive'. This amendment was agreed.

One Member sought an assurance that pay on entry toilets would be maintained at a good clean standard as there were examples of areas where this had not been the case. The Lead Member accepted that this was a fair point.

Finally there were discussion on the different methods of payment and Members were assured that all options would be included in the procurement documentation.

It was then

RESOLVED

That approval be given to:

1. procurement to deliver the pay on entry equipment to the public conveniences at Bigbury, Whitestrand, Creek, North Sands, South Sands, Coronation Road, Steamer Quay, Civic Hall, Fore Street, Slapton Line, Glanvilles Mill, Wembury, Mill Bay and Dittisham be commenced;
2.
 - a) Mill Bay toilets having pay on entry installed;
 - b) Ferry Steps, East Portlemouth toilets having pay on entry installed;
3. Slapton Memorial toilets no longer having the pay on entry system installed and the toilet is closed as a result of storm damage;
4. Authority for:
 - a) the sale of sites for which transfer has not been successful and the sites subsequently closed; and
 - b) the sale of sites where usage is low and site value high, which have previously been approved by Members for transfer or closure, would be the subject of a report to the Executive prior to any final toilet closure proposals.

E.86/17 **DARTMOUTH LOWER FERRY – CAPITAL REPAIRS PROGRAMME**

Members were presented with a report that sought Council approval for a spend from the Dartmouth Lower Ferry Earmarked Reserve in order to bring the existing fleet of vessels up to the required Maritime and Coastal Agency (MCA) standards. This included work to ensure that, subject to regular inspection and maintenance on the tugs, they would continue to be seaworthy and compliant.

The Lead Member for Commercial Services introduced the report. Members had a number of questions regarding the changes requested by the MCA that had resulted in an increased inspection regime, and the Group Manager Commercial Services agreed to circulate further details to Members. Members also raised concerns regarding the ongoing ability of the Lower Ferry service to withstand the additional costs associated with the increased inspections.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to approve the capital spend outlined in Section 2.5 of the presented report from the Dartmouth Lower Ferry Earmarked Reserve, in order to ensure that the ferry vessels, (both tugs and floats) are compliant and seaworthy in line with Maritime and Coastal Agency requirements.

(NOTE: In accordance with Executive Procedure Rule 1.9.4, Cllr Bastone abstained from the vote on this item by virtue of being a local ward Member).

E.87/17 **BATSON QUAY AND SHADYCOMBE PROJECT, SALCOMBE**

Members were presented with a report that identified the key aims and objectives of the project and highlighted the potential benefits and associated risks.

The Leader introduced the report, and drew Members attention to the formation of a project group to move the project forward. In response to a question regarding lessons learned from previous projects, the Senior Specialist Assets confirmed that lessons had been learned and then outlined the holistic approach being taken with this project. He also provided Members with clarity in respect of funding opportunities.

During discussion, Members reiterated the importance of retaining units for marine use and the need for the Council to do what it could to protect the coastal community.

It was then:

RESOLVED:

1. That progress made to date on the Batson and Shadycombe Masterplan be reviewed;
2. That proposals to develop a new Harbour Depot at the head of the public slipway be approved in principle;
3. That improvement works to the commercial Fish Quay be undertaken subject to funding from capital funding bids currently being sought through European Maritime and Fisheries Fund (EMFF) and Coastal and Communities Fund (CCF) be agreed; and
4. That an undertaking to give priority to local marine businesses as part of the Coastal and Communities (CCF) funding application for the development of industrial units at Batson Quay be endorsed.

(NOTE: In accordance with Executive Procedure Rule 1.9.4, Cllr Wright abstained from the vote on this item by virtue of being a local ward Member).

E.88/17 REPORTS OF OTHER BODIES

(a) Overview and Scrutiny Panel – 22 March 2018

O&S.103/17 Development Management Pre Application Advice

The Chairman of the Overview and Scrutiny Panel asked that the Executive give consideration to inclusion of Permission in Principle applications to the Pre-Application process, following a recent Member training event whereby Members were advised of the responsibilities of the Council under forthcoming Permission in Principle legislation. The Leader proposed an amendment of the recommendation accordingly.

It was then:

RESOLVED

1. That the proposed pre-application process be approved for consultation, subject to inclusion of the points outlined at (b) in the detailed minutes, and inclusion of Permission in Principle applications; and
2. That as part of the consultation process, the views of the Panel as set out in para (c) of the presented Overview and Scrutiny Panel minutes be taken into account.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.81/17, E.82/17, E.83/17, E.84/17 AND E.86/17, WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 17 MAY 2018, WILL BECOME EFFECTIVE FROM 5.00PM ON TUESDAY 8 MAY 2018 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.50 am)

Chairman