

**MINUTES OF THE SPECIAL MEETING OF THE SOUTH HAMS DISTRICT
COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 26 JULY 2018**

MEMBERS

∅ Cllr T R Holway – Chairman

* Cllr R Rowe – Vice-Chairman

* Cllr K J Baldry	* Cllr N A Hopwood
* Cllr H D Bastone	* Cllr J M Hodgson
* Cllr J P Birch	∅ Cllr E D Huntley
* Cllr J I G Blackler	* Cllr D W May
∅ Cllr I Bramble	* Cllr J A Pearce
* Cllr J Brazil	* Cllr J T Pennington
∅ Cllr D Brown	* Cllr K Pringle
* Cllr B F Cane	* Cllr M F Saltern
∅ Cllr P K Cuthbert	* Cllr P C Smerdon
* Cllr R J Foss	* Cllr R C Steer
* Cllr R D Gilbert	* Cllr R J Tucker
* Cllr J P Green	* Cllr R J Vint
∅ Cllr J D Hawkins	* Cllr K R H Wingate
∅ Cllr M J Hicks	* Cllr S A E Wright
* Cllr P W Hitchins	

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Head of Paid Service; Section 151 Officer; Group Manager – Commercial Services; Deputy Monitoring Officer; Lead Specialist Waste Strategy; and Senior Specialist – Democratic Services

22/18 APPOINTMENT OF VICE-CHAIRMAN

In light of the Chairman having sent his apologies to this meeting, nominations were invited to serve as Vice-Chairman for the duration of this meeting.

It was then:

RESOLVED

That Cllr R J Foss be appointed Vice-Chairman for the duration of this meeting.

23/18 URGENT BUSINESS

The Chairman informed that she had no items of urgent business for consideration at this meeting.

DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllr N A Hopwood declared a Disclosable Pecuniary Interest in Item 5(d): *'Reports of Bodies: Executive – 14 June 2018'* (Minute 26/18(d) below refers) and specifically the recommendation arising from Minute O&S.114/17 (*'Feasibility of Installing Electric Car Charging Points in the Council's Public Car Parks'*) by virtue of her business interests and left the meeting during the debate and vote on this recommendation.

FRONTLINE SERVICES (WASTE AND CLEANSING) PROCUREMENT

Consideration was given to a report that outlined the 'Detailed Solutions' Stage of the Frontline Services (Waste and Cleansing) Procurement process. The report highlighted that, if the Council approved the recommendation of the Project Board, then the procurement process would continue to the 'Final Solutions' Stage, with a further report being brought to the Council meeting to be held on 4 December 2018.

In inviting Member questions, it was apparent that some related to the exempt appendices and it was therefore **PROPOSED** and **SECONDED** and, on being put to the vote, was declared **CARRIED** 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 paragraphs 3 and 5 of Schedule 12A to the Act is involved.'

During the questions phase on the exempt appendices, assurances were given that more detailed information (e.g. in relation to the financial figures quoted; direct comparisons with the existing in-house service; and the added value from bidders) would be made available with the agenda papers for the Council meeting on 6 December 2018.

Once all Members were content that they had no further questions to raise on the exempt appendices, it was then **PROPOSED** and **SECONDED** and, on being put to the vote, was declared **CARRIED** that:

'The public and press be re-admitted to the meeting.'

In the ensuing discussion, the following points were raised:-

(a) An amendment to the motion was **PROPOSED** and **SECONDED** as follows:-

'That any changes necessary to harmonise the recycling collection services with the 'aligned waste service' (as detailed in the Waste and Resource Strategy for Devon) be approved and introduced *by 29 September 2020*.'

In support of the amendment, the proposer felt that this would enable for greater flexibility to be built into the process. Having been asked for a view, officers advised that the recommendation had been drafted to take into account what was considered to be the optimum start date to harmonise the recycling collection services.

When put to the vote, this amendment was declared **LOST**.

- (b) Some Members acknowledged the comments in the agenda relating to the potential risk of a procurement challenge. These Members proceeded to express their concerns that a decision at this time to continue to the next stage of the competitive dialogue process could result in the final outcome effectively becoming a done deal with it being very difficult to do anything other than award a Contract. This was felt to be a particular cause for concern in light of the lack of available information at this time making it difficult to make an informed decision;
- (c) Having sought assurances, officers confirmed that any proposals to charge for a garden waste collection service were specifically listed as being out of the scope of the 'aligned waste service' in this instance;
- (d) A Board Member advised that he personally had yet to be convinced that the private sector could generate a profit; whilst maintaining service quality and providing a financial return to the Council;
- (e) In light of the same commercial restrictions applying and the number of Member Workshops that had already been held, the majority of Members did not support a request for the Overview and Scrutiny Panel to consider the project at this time;
- (f) In support of the project, a Member felt that the performance of these frontline services was currently below the expected standard and she was of the view that the private sector could manage these more efficiently and effectively. In reminding those present of the importance of the tourism industry to the South Hams, the Member highlighted the need for this to be factored into the contractual negotiations;
- (g) Members wished to put on record their gratitude for the amount of work that had been undertaken by lead officers to reach this project milestone.

It was then:

RESOLVED

1. That the progress of the project be noted and the recommendation of the Frontline Services (Waste Procurement) Project Board to continue to the next stage of the competitive dialogue process for waste collection, recycling and cleansing services be endorsed; and

2. That any changes necessary to harmonise the recycling collection services with the 'aligned waste service' (as detailed in the Waste and Resource Strategy for Devon) be approved and introduced on 28 September 2020.

26/18

REPORTS OF BODIES

RESOLVED

That the minutes and recommendations of the undermentioned bodies be received and approved subject to any amendments listed below:-

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|-----|----------------------------------|--------------|
| (a) | Development Management Committee | 2 May 2018 |
| (b) | Overview and Scrutiny Panel | 3 May 2018 |
| (c) | Development Management Committee | 6 June 2018 |
| (d) | Executive | 14 June 2018 |

E.08/18: Council Owned Asset Investment and Development

In the absence of any detailed costings or financial breakdown of how these monies were proposed to be spent, some Members stated that they were unable to support the recommendation. The Leader responded by pointing out that, without approval of this recommendation, these projects could not be advanced. Moreover, the recommendation was seeking approval of up to £150,000 and it was by no means inevitable that all of these monies would be spent.

In an attempt to mitigate some of these concerns and to ensure greater flexibility, an amendment to the motion was **PROPOSED** and **SECONDED** to read as follows:-

'That approval be given to the expenditure of up to a maximum of £150,000 in order to *further enable exploration and, if appropriate, to prepare a detailed business case....*'

The Leader stated that the exploratory works had already been carried out and he therefore could not support this amendment.

When put to the vote, the amendment was declared **LOST**.

It was then:

RESOLVED

1. That approval be given to the expenditure of up to a maximum of £150,000 in order to prepare a detailed business case for each of the proposed Council-owned asset investment and development opportunities (as detailed in Section 3 and Appendix 1 of the agenda report presented to the Hub Committee meeting); and
2. That officers conclude an appropriate procurement process to commission the work required to produce individual business cases for the identified Asset Investment and Development opportunities.

E.11/18: Reports of Other Bodies

(a) Overview and Scrutiny Panel – 22 March 2018

O&S.113/17 Update on the Urban Fringe Delivery Team and Sherford Strategic Review

Since the Sherford Road closure remained in place, a Member highlighted the levels of disruption and questioned what pressure the Council was applying. In reply, the Head of Paid Service informed that she continued to press the Developer and confirmed that she would demand an answer to this issue at the next Sherford Board meeting on Wednesday, 1 August 2018.

O&S.114/17 Feasibility of Installing Electric Car Charging Points in the Council's Public Car Parks

Following a request, the Leader promised to provide Members with an update on the likelihood of obtaining EU funding in this respect.

It was then:

RESOLVED

That the proposed Strategy for the installation of an electric vehicle charging network in Council Car Parks be endorsed, subject to steps being taken to advance the proposed installation date as outlined in paragraph 2.6 of the agenda report presented to the Panel meeting (late 2019) and only on the understanding that the EU funding is obtained.

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| (e) | Audit Committee | 21 June 2018 |
| (f) | Overview and Scrutiny Panel | 28 June 2018 |

O&S.6/18: Civica / IT: Lessons Learnt

In response to some concerns over the mechanism for the Audit Committee to be able to review its own annual work programme, it was agreed that, for future meetings, this would become a standing agenda item. Thereafter, at its next scheduled meeting on 6 September 2018, it was agreed that the Committee would consider the merits of the request to examine whether or not all of the potential avenues had been explored.

O&S.11/18: Overview and Scrutiny: Draft Annual Report 2017/18

RESOLVED

That the draft Annual Report for 2017/18 (as outlined at Appendix A of the agenda report presented to the Panel) be approved.

O&S.13/18: Actions Arising / Decisions Log

Having sought further assurances, the Leader confirmed to the Council that consultation would be undertaken on the Public Conveniences charging proposals with local Ward Members at the appropriate time.

(g) Executive 19 July 2018

E.17/18: Activities to Support Economic Growth

For clarity, the Leader advised that these recommendations would be considered at meetings of the Overview and Scrutiny Panel and Audit Committee before being ultimately determined by the Council at its meeting on 27 September 2018.

E.21/18: Business Rates – Locally Administered Business Rate Relief Policy

RESOLVED

That the Year Two Locally Administered Business Rate Relief Policy (as set out in Appendix 1 of the agenda report presented to the Executive) be adopted.

E.22/18: Parking Order Operational Amendments

RESOLVED

That the following amendments be made to the South Hams Off-Street Parking Places Order:

1. Parking at Follaton House, Totnes be permitted from 7.00am to 7.00pm only;

2. Parking permits be introduced for car parks in Dittisham;
3. That more robust action be included in respect of the removal of vehicles from all South Hams District Council car parks; and
4. That Torcross Layby be included as one of the car parks where permit parking is permitted.

(Meeting commenced at 2.00 pm and concluded at 3.20 pm)

Chairman