

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD
AT FOLLATON HOUSE, TOTNES ON THURSDAY 6 DECEMBER 2018**

MEMBERS

* Cllr T R Holway – Chairman

* Cllr R Rowe – Vice-Chairman

* Cllr K J Baldry	∅ Cllr P W Hitchins
∅ Cllr H D Bastone	* Cllr N A Hopwood
* Cllr J P Birch	* Cllr J M Hodgson
* 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

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

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

37/18 MINUTES

The minutes of the meeting of Council held on 27 September 2018 were confirmed as a correct record and signed by the Chairman.

38/18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

1. Civic Service

By way of a reminder, the Chairman highlighted that his Civic Service would be taking place on Sunday, 16 December 2018 at Ugborough Church and all Members were invited to attend this event.

2. Sue Nightingale

The Chairman advised the Council that this was to be the last Council meeting before Mrs Nightingale left the employ of the District Council.

In thanking her for her hard work and support during her time with the Council, he wished her every success in her future career. These sentiments were echoed by the wider membership.

3. Provisional Local Government Finance Settlement

At the request of the Chairman, the Deputy Leader informed the Council that notification had been received that the announcement on the provisional local government finance settlement had been delayed until week commencing 10 December 2018 at the very earliest.

4. Kingsbridge in Bloom

The Chairman informed the Council that Kingsbridge in Bloom had recently been a UK Finalist and Gold Medal winner in the Royal Horticultural Society Britain in Bloom Competition and had also been awarded 'Champion of Champions' in the 2018 South West in Bloom competition. To mark these outstanding achievements, the Chairman had invited representatives from Kingsbridge in Bloom to provide a short presentation to the Council later in the meeting (Minute 48/18 below refers).

39/18

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.

Cllr R F D Gilbert confirmed that, whilst he had declared a personal interest in agenda items 10 'Public Toilets Review' and 11 'Heart of the South West Joint Committee Update' at the Executive meeting on 22 November 2018 (Minute E.40/18 refers), he would be leaving this Council meeting before these items were considered and he therefore had no interests to declare.

40/18

EXCLUSION OF PUBLIC AND PRESS

Prior to the vote being taken to exclude the public and press from the meeting, a Member advised that he was of the view that the public and staff should be entitled to remain in the meeting and listen to the debate on this matter. As a result, the Member confirmed that he would be voting against this motion.

It was then:

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 paragraphs 3 and 5 of Schedule 12A to the Act is involved.

FRONTLINE SERVICES (WASTE AND CLEANSING) PROCUREMENT

Consideration was given to an exempt report that detailed the Final Tender Stage of the Frontline Services (Waste and Cleansing) Procurement process.

In discussion, a number of Members paid tribute to the work that had been undertaken on this project by lead officers and the Members who had served on the Frontline Services Project Board.

It was then:

RESOLVED

1. That the current market position in relation to waste and recycling services be noted, with approval being given to the recommendation of the Frontline Services Project Board to award Lot 3 of the Waste Collection, Recycling and Cleansing Services to Bidder 'A';
2. That approval be given to the recommendation of the Frontline Services Project Board to adopt the Outline Mobilisation Plan (as set out at Appendix D of the presented agenda report) that shows the high level actions required by the Council to harmonise the recycling collection services with the 'aligned waste service' (but to include free garden waste collections) as detailed in the Waste and Resource Strategy for Devon and which are to be introduced on 28 September 2020;
3. That the recommendation of the Frontline Services Project Board to accept a Bond (as set in section 4.2 of the presented agenda report) be approved;
4. That the recommendation of the Frontline Services Project Board be approved to:
 - (i) increase the contribution to the Vehicle Earmarked Reserve from 2019/20 onwards from £490,000 to £550,000 (as set out at Appendix B of the presented agenda report); and
 - (ii) borrow £1.24 million for the capital costs of the Ivybridge Depot improvements and the purchase of new containers as shown in Table 3 of Appendix B of the presented agenda report.
5. That the setting up of a Strategic Waste Earmarked Reserve (as detailed in section 4.7 of the presented agenda report) be approved; and
6. That approval be given to the continuation of a Waste Board for the duration of the Mobilisation Period, with delegated authority being given to the Executive to agree a revised set of Terms of Reference for this Board.

(NOTE: in accordance with Council Procedure Rule 15.6, Cllr K J Baldry requested that his vote against this recommendation be formally recorded).

42/18

RE-ADMITTANCE OF PUBLIC AND PRESS

RESOLVED

That the public and press be re-admitted to the meeting.

43/18

SUPPORTING THE FORMATION OF SOUTH WEST MUTUAL

A report was considered that sought to approve the granting of £49,995 from the 2018/19 Business Rate Pilot gain in order to support the formation of South West Mutual.

In discussion, reference was made to:-

- (a) the potential benefits to the local economy. Whilst acknowledging that there were risks associated with the proposals, a number of Members felt that these were outweighed by the potential economic benefits that would be generated. Furthermore, some Members felt the Business Plan was very credible and they wished the venture every success;
- (b) interest from other local authorities. The Leader informed that there was already interest in the proposal from a number of other neighbouring local authorities that included: Cornwall Council; Exeter City Council; East Devon District Council; Mid Devon District Council; and West Devon Borough Council;
- (c) the Business Rate Pilot gain. Some Members made the point that the Pilot Bid that had been submitted to Central Government had been focused around economic regeneration and this proposal was a perfect example of how to achieve this objective.

It was then:

RESOLVED

1. That a grant of £49,995 be approved from the predicted 2018/19 Business Rate Pilot gain in order to support the formation of South West Mutual (as detailed in Section 3 and Appendix 2 of the presented agenda report);
2. That authority be delegated to the Group Manager – Business Development to conclude the ordinary share acquisition; and

3. That, wherever possible, officers support the formation of the Mutual by promoting it to local authorities within the South West.

44/18

HEART OF THE SOUTH WEST JOINT COMMITTEE UPDATE

Members considered a report that summarised the progress made by the Joint Committee over recent months in key areas of activity and that set out actions proposed in the coming months.

In his introduction, the Leader reiterated his comments expressed at the Executive meeting held on 22 November 2018 whereby, on balance, the benefits to the Council were greater from being involved in the Heart of the South West Partnership than being on the outside (Minute E.42/18 refers).

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

- (a) In reply to a question, the Leader confirmed that the Devon Districts were disappointed at the lack of progress in the delivery of the Productivity Strategy and their views had been expressed accordingly;
- (b) Some Members expressed their opposition to any additional empowerment being given to the Local Enterprise Partnership. As a consequence, these Members confirmed that they were unable to support these proposals.

It was then:

RESOLVED

1. That the progress report setting out the work of the Heart of the South West (HotSW) Joint Committee since its establishment in March 2018 be noted;
2. That the development and endorsement of the HotSW Local Industrial Strategy (LIS) be delegated to the HotSW Joint Committee (noting that final approval of the HotSW LIS rests with the HotSW Local Enterprise Partnership (LEP) and the Government;
3. That the Heart of the South West Joint Committee Budget statement for 2018/19 (as set out in Appendix B of the presented agenda report) be noted. That, in accordance with the decisions taken at the time the Committee was established, the Council also note that it will be asked to make an annual budgetary provision (£1,400 for the District Council) to meet the support costs of the Joint Committee in line with the 2018/19 contribution.

(NB. final clarification on any additional 2019/20 Heart of the South West Joint Committee budget requirement will be provided following the completion of the review of the Joint Committee's role, function and management support arrangements and development of its Work Programme for 2019/20); and

4. That the Budget and Cost Sharing Agreement (as set out in Appendix B of the presented agenda report) be agreed.

45/18

POLITICAL COMPOSITION AND COUNCIL APPOINTMENTS

Members were presented with a report that provided an update on the political composition of the Council and confirmed appointments to the newly created Affordable Housing Delivery Working Group and the Local Enterprise Partnership Joint Scrutiny Committee.

In discussion, the Leader of the Opposition Group wished to put on record and pay tribute to the work undertaken by Elizabeth Huntley during her time serving as the local Ward Member for the Charterlands Ward.

It was then:

RESOLVED

That, with immediate effect and for the remainder of the 2018/19 Municipal Year:

1. the Political Composition of the Council be noted as follows:
 - 24 Conservative Group Members;
 - 6 Opposition Group Members; and
 - 1 Vacancy;
2. an Affordable Housing Delivery Working Group comprising of 3 Members be established with Cllrs Bastone, Birch and Pearce appointed to serve on it and that, for the purposes of Members' Allowances, attendance at meetings of this Group be regarded as an 'approved duty'; and
3. Cllr I Bramble be appointed as one of the three Devon District Council representatives on the Local Enterprise Partnership Joint Scrutiny Committee and that, for the purposes of Members' Allowances, attendance at meetings of this Outside Body be regarded as an 'approved duty'.

46/18

QUESTIONS

It was noted that eight questions had been received in accordance with Council Procedure Rule 8.

From Cllr Brazil to Cllr Wright, Deputy Leader of Council

(a) 'How much has the Council spent on outside consultants since May 2015?'

In response, Cllr Wright advised that:

For 2015/16 Financial Year - £31,121 (spent mainly on the Leisure project and aligning the Coding structure for both Councils' financial ledgers);

For 2016/17 Financial Year - £25,900 (spent mainly on the Leisure project, including specialist VAT advice);

For 2017/18 Financial Year - £164,933 (spent mainly on PriceWaterhouseCoopers for the work on the Local Authority Controlled Company (£42,500) and the Council Tax equalisation work (£4,000)). Cllr Wright informed that this figure also included £106,000 for the cost of Stage 1 for Kingsbridge Quayside Masterplan for quantity surveyors, viability assessments, highways advice, visual impact assessments and ground investigations; and

For 2018/19 Financial Year - £5,262.

From Cllr Brazil to Cllr Wright, Deputy Leader of Council

(b) 'How much has the Council spent on outside legal advice since May 2015?'

Cllr Wright provided the following answer to the meeting:

For 2015/16 Financial Year - £22,608;

For 2016/17 Financial Year - £37,654;

For 2017/18 Financial Year - £116,413 (NB. this figure included £25,000 for Leisure Leases and £59,000 for planning legal advice, mainly for a public inquiry that accounted for £40,000); and

For 2018/19 Financial Year (to date) - £53,941 (NB. this figure includes some public inquiry costs).

From Cllr Brazil to Cllr Wright, Deputy Leader of Council

(c) 'How much has the Council spent on outside architects or other planning professionals since May 2015?'

For 2015//16 Financial Year - £127,163;

For 2016/17 Financial Year - £223,945 (that included the costs of the current Development Management Community Of Practice Lead (who was with an Agency) and transitional staff);

For 2017/18 Financial Year - £161,395 (that included transitional staff); and

For 2018/19 Financial Year (to date) - £46,360.

From Cllr Brazil to Cllr Wright, Deputy Leader of Council

(d) *'How much has the Council spent on agency staff since May 2015?'*

In response, Cllr Wright stated that the figures that he was about to quote excluded the planning professionals that he had already referred to in his response to question (c) above. He then proceeded to advise that:

For 2015/16 Financial Year - £1,302,662;
For 2016/17 Financial Year - £1,165,630;
For 2017/18 Financial Year - £918,285; and
For 2018/19 Financial Year (to date) - £443,362.

In providing these figures, Cllr Wright also confirmed that, in each of these years, there was approximately £400,000 per year costed to the manual workforce (Commercial Services).

Cllr Wright also confirmed that all of the figures referred to in his responses to these questions were within the approved Budgets.

47/18

NOTICE OF MOTIONS

It was noted that six motions had been received in accordance with Council Procedure Rule 10.

At this stage, the Chairman informed that, due to the close linkages between published motions (a) and (b), he had exercised his discretion to permit these to be combined into one joint motion.

(a) By Cllrs Wright and Birch & Pearce and Brazil

'This Authority urges the Government to consider the removal of 100% Business Rate Relief on the letting of self-catering holiday homes. The Government's present approach has a serious financial impact on local authorities with a high volume of Holiday Home Lettings. This Authority should continue lobbying to have the Relief removed.'

Furthermore, this Council welcomes the consultation being undertaken by the Ministry of Housing, Communities and Local Government in respect of the review of tax rules for second-homes and resolves to respond by the closing date on 16 January 2019.

In making its response, the Council will include the following:

At a time when local authorities in Devon are struggling to maintain public services and balance their budgets, a vast sum of money is lost each year due to a tax loophole available to owners of second homes and/or holiday lets in the county.

If the owners of second homes declare that they make their property available for holiday accommodation for at least 140 days out of the year, they don't have to pay Council Tax and can be registered for Business Rates instead.

In the event of the rateable value on the property being less than £12,000, the owners are exempt from paying both Business Rates and Council Tax.

Records show that there are 1,358 business rated properties in the South Hams that fall into the category of holiday lets or second-homes. If the owners of each property paid their full share of Council Tax, a total of £2.47 million would flow into SHDC, Devon County Council and the Emergency Services, such as Fire and Police. SHDC's share of the total would be around £223,000.

In order to close this tax loophole and, in recognition of the local government services provided for the benefit of the occupants of holiday lets or second homes, this Council calls upon the government to introduce legislation requiring such properties to pay 100% Council Tax.'

In their respective introductions, the proposers made reference to:-

- the current arrangements resulting in a loophole that was being exploited in a number of instances and was costing local authorities an extensive amount of money in lost Council Tax revenue. It was hoped that this loophole would be closed following the current consultation exercise;
- the South Hams having the highest concentration of second homes in the United Kingdom; and
- there currently being no requirement for owners of second homes to provide evidence that their property was available for holiday accommodation for at least 140 days each year.

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

- (a) To be consistent and fair to all, the view was expressed that all property owners should pay Council Tax as opposed to Business Rates;
- (b) It was noted that there was ministerial support for this loophole being closed and Members hoped that local MPs would also write to the Minister to express their support. Members also felt that the Local Government Association and the District Councils Network should be encouraged to lobby the Government during this consultation exercise;
- (c) Whilst supporting the motion, a Member hoped that this would be the first step towards local authorities being able to charge second home owners more than 100% Council Tax.

It was then:

RESOLVED

That this Authority urges the Government to consider the removal of 100% Business Rate Relief on the letting of self-catering holiday homes. The Government's present approach has a serious financial impact on local authorities with a high volume of Holiday Home Lettings. This Authority should continue lobbying to have the Relief removed.

Furthermore, this Council welcomes the consultation being undertaken by the Ministry of Housing, Communities and Local Government in respect of the review of tax rules for second-homes and resolves to respond by the closing date on 16 January 2019.

In making its response, the Council will include the following:

At a time when local authorities in Devon are struggling to maintain public services and balance their budgets, a vast sum of money is lost each year due to a tax loophole available to owners of second homes and/or holiday lets in the county.

If the owners of second homes declare that they make their property available for holiday accommodation for at least 140 days out of the year, they don't have to pay Council Tax and can be registered for Business Rates instead.

In the event of the rateable value on the property being less than £12,000, the owners are exempt from paying both Business Rates and Council Tax.

Records show that there are 1,358 business rated properties in the South Hams that fall into the category of holiday lets or second-homes. If the owners of each property paid their full share of Council Tax, a total of £2.47 million would flow into SHDC, Devon County Council and the Emergency Services, such as Fire and Police. SHDC's share of the total would be around £223,000.

In order to close this tax loophole and, in recognition of the local government services provided for the benefit of the occupants of holiday lets or second homes, this Council calls upon the government to introduce legislation requiring such properties to pay 100% Council Tax.

(b) By Cllrs Green and Hodgson

'This Council:

- *Welcomes the steps taken in Parliament to encourage more women and a greater diversity of people to become involved in politics;*

- *Recognises the importance of Councillors on South Hams District Council coming from a wide diversity of backgrounds; and*
- *Accepts that the present low level of the allowances made to Councillors could act as a barrier to some groups of people deciding to stand for election.*

Therefore, from May 2019, the Basic Allowance given to Councillors will be set at £10,000 per year, rising annually by the Retail Price Index.

(NOTE. that an alternative recommendation that I would also accept is for an additional allowance of up to £5,000 per year to be provided on top of the existing allowance (rising in line with the Retail Price Index) to Councillors who self-certify that their annual income including the allowance remains below £18,000 per year AND they have unencumbered assets of less than £100,000.'

In support of his motion, the proposer highlighted that the current Basic Allowance (£5,151 per annum) was a barrier to prospective candidates standing for election and he hoped that this proposal would overcome this hurdle.

During the ensuing debate, reference was made to:-

- (i) the public perception. Whilst recognising the sentiments of the motion, a number of Members felt that, particularly in the current difficult financial climate, the approval of such a drastic increase in the Basic Allowance would convey totally the wrong message to the residents and communities of the South Hams;
- (ii) an annual Basic Allowance of £10,000. Some Members expressed the view that an increase to £10,000 would still not be sufficient to enable for the vast majority of potential candidates to consider a change in their circumstances (e.g. leaving full-time employment). In addition, other Members cited examples of other local authorities that had a larger Basic Allowance yet still had a similar demographic of elected Members to South Hams District Council. As a consequence, these Members felt that the focus should be on the culture, attitudes and behaviours of elected Members as opposed to the remuneration that they were entitled to claim;
- (iii) the role of the Independent Remuneration Panel. Having been informed that any such increase in Basic Allowance would first require the views of the Independent Remuneration Panel to be sought, the proposer and seconder amended their motion to read as follows:

'This Council:

- *Welcomes the steps taken in Parliament to encourage more women and a greater diversity of people to become involved in politics;*

- *Recognises the importance of Councillors on South Hams District Council coming from a wide diversity of backgrounds; and*
- *Accepts that the present low level of the allowances made to Councillors could act as a barrier to some groups of people deciding to stand for election.*

*Therefore, **the Independent Remuneration Panel should be convened to consider a proposal whereby** from May 2019, the Basic Allowance given to Councillors will be set at £10,000 per year, rising annually by the Retail Price Index.*

(NOTE. that an alternative recommendation that I would also accept is for an additional allowance of up to £5,000 per year to be provided on top of the existing allowance (rising in line with the Retail Price Index) to Councillors who self-certify that their annual income including the allowance remains below £18,000 per year AND they have unencumbered assets of less than £100,000.'

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

(c) By Cllrs Green and Hodgson

'It has been recognised that at present SHDC Officers do not have the capacity to monitor the implementation of environmental mitigation measures that are specified as conditions in planning approvals. The requirement for mitigation measures being put in place is often fundamental to Councillors giving approval for developments and there is concern that, without a significant increase in monitoring, many mitigation measures will not be implemented. Therefore, the Council will recruit a full-time Officer to be responsible for checking on the implementation of environmental mitigation conditions specified in planning approvals and helping to enforce compliance.'

In his introduction, the proposer highlighted that he had tabled this motion to reflect the public concerns that he had been made aware of whereby there was a perception that those conditions related to environmental mitigation measures were not being monitored or checked.

During the debate, particular reference was made to:-

- (i) the role of Members. A Member was of the view that it was part of his roles and responsibilities (and indeed the wider membership) to monitor the compliance of conditions within his local Ward. Another Member disputed this viewpoint and stated that conditions that related to environmental mitigation measures was a particularly specialised area of work that should be the ultimate responsibility of a dedicated officer resource;

- (ii) funding any increase to the Council's staffing establishment. Whilst there was a great deal of sympathy for the motion, there was also general recognition that this meeting was not the appropriate Forum to approve an increase to the Council's staffing establishment. It was therefore concluded that the joint Overview and Scrutiny Panel / Development Management Committee budget consultation meeting (that was also scheduled to consider a Development Management Service Review) on 24 January 2019 would be the appropriate meeting for this matter to be debated.

The proposer and seconder of the motion put forward an amendment to reflect this point that, when put to the vote, was declared **CARRIED**.

It was then:

RESOLVED

It has been recognised that at present SHDC Officers do not have the capacity to monitor the implementation of environmental mitigation measures that are specified as conditions in planning approvals. The requirement for mitigation measures being put in place is often fundamental to Councillors giving approval for developments and there is concern that, without a significant increase in monitoring, many mitigation measures will not be implemented.

Therefore, as part of the 2019/20 draft Budget Setting process, the joint Overview and Scrutiny Panel / Development Management Committee meeting on 24 January 2019 will give consideration to a proposal to recruit a full-time Officer to be responsible for checking on the implementation of environmental mitigation conditions specified in planning approvals and helping to enforce compliance.

(d) By Cllrs Hodgson and Green

'This Council notes that:

- 1. Humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350ppm deemed to be a safe level for humanity;*
- 2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO2eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;*

3. *Individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;*
4. *Carbon emissions result from both production and consumption;*
5. *South Hams District Council has already shown foresight and leadership when it comes to addressing the issue of climate change and has recognised this in its strategies, actions plans, public statements and advice to businesses, residents and parish councils;*
6. *Unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement's 1.5 degrees Celsius limit before 2050;*
7. *The IPCC's Special Report on Global Warming of 1.5 degrees Celsius, published last month, describes the enormous harm that a 2 degrees Celsius rise is likely to cause compared to a 1.5 degrees Celsius, and told us that limiting Global Warming to 1.5 degrees Celsius may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities;*
8. *Local Authorities around the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency.*

This Council believes that:

1. *All governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognize this should not wait for their national governments to change their policies. It is important for the residents of Devon and the UK that counties commit to carbon neutrality as quickly as possible;*
2. *Local Authorities are uniquely placed to lead the world in reducing carbon emissions;*
3. *The consequences of global temperature rising above 1.5 degrees Celsius are so severe that preventing this from happening must be humanity's number one priority; and*
4. *Bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide).*

Full Council calls on the Leader to:

1. *Declare a 'Climate Emergency';*
2. *Pledge to make the district of South Hams carbon neutral by 2030, taking into account both production and consumption emissions (scope 1,2,3);*

3. *Call on Westminster to provide the powers and resources to make the 2030 target possible;*
4. *Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5 degrees Celsius;*
5. *Continue to work with partners across the county and region to deliver this new goal through all relevant strategies and plans;*
6. *Report to Full Council within six months with the actions the Council will take to address this emergency.*

In introducing the motion, the proposer advised that similarly worded motions had already obtained the support of other local authorities including Manchester City Council and Bristol City Council. In addition, the motion had also been approved at a recent meeting of Totnes Town Council. In stating that it was now time to recognise the urgency of the situation, the proposer hoped that the Council would be able to support her motion.

During the debate, the following points were raised:-

- In stating that the climate had always changed, some Members were of the view that there was a need for further rigour and scientific examination to be carried out before they would be minded to support any such motion;
- The Leader felt there to be little point in the Council approving this motion without the support of other neighbouring local authorities. Therefore, whilst he was not minded to support the motion at this time, he did give a commitment to gauge the views of his colleagues at the Devon Districts Forum meeting in January 2019;
- It was felt that climate change should not be looked at in isolation and some Members emphasised the importance (and relevance) of other factors such as population growth.

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

(e) By Cllrs Green and Hodgson

'This Council will write to Gary Streeter MP and Sarah Wollaston MP and the Secretary of State for Work & Pensions requesting that the roll-out of Universal Credit is paused whilst amendments are made.

Without the needed vital changes, it is highly likely that Universal Credit will have a significant detrimental impact on many residents & families in the South Hams, including those with severe disabilities.

The recent Secretary of State for Work & Pensions, Esther McVey, acknowledged that many people would be financially worse off as a result of their existing benefits being consolidated into one payment.'

In his introduction, the proposer advised that he had received a great deal of correspondence from constituents who were suffering as a direct consequence of the roll-out of Universal Credit. As a consequence, it was the intention of the motion to call for a pause to the roll-out as quickly as was practically possible.

In discussion, reference was made to:-

- (i) the recently appointed Secretary of State for Works & Pensions. The Leader informed that the newly appointed Secretary of State had already indicated that she would be listening carefully to concerns over Universal Credit. As a result, the Leader felt that the Secretary of State should be given the opportunity to carry out this task;
- (ii) the workload of Council officers. Whilst the support offered to residents by Council officers was felt to be superb, some concerns were raised that these officers could be swamped by the additional workload. The Group Manager – Customer First and Support Services confirmed that, since officers were already dealing with the impact of full service roll-out in the South Hams, there would be no additional impact or change if it was to be now paused;
- (iii) consideration of a new Council Policy. In an attempt to mitigate the negative impact of these new measures, it was noted that a new Policy would be presented to Members for approval in due course.

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

48/18

KINGSBRIDGE IN BLOOM

As highlighted above (Minute 31/18(4) refers), the Chairman invited representatives from Kingsbridge in Bloom to address the Council. In so doing, the representatives provided examples of their work and specifically highlighted that:

- the organisation had an ever growing, enthusiastic team of volunteers;
- support continued to increase from both the local community and local businesses; and
- the organisation had a clear vision for the future.

Upon the conclusion of their address, Members paid tribute to the work of the organisation and thanked the volunteers for their hard work and efforts that had deservedly been recognised by the Royal Horticultural Society.

(At this point (1.30pm), the meeting was adjourned and was then reconvened at 2.15pm).

REPORTS OF BODIES**RESOLVED**

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

(a) Salcombe Harbour Board 17 September 2018

SH.16/18: 2019/20 Fees and Charges**RESOLVED**

That the proposed 2019/20 Fees and Charges be approved for implementation (to come into effect from 1 April 2019).

SH.17/18: 2019/20 Budget**RESOLVED**

1. That the proposed 2019/20 Budget be approved for implementation (to come into effect from 1 April 2019); and
2. That the Board set out a Five Year Medium Term Financial Strategy (for the ultimate approval of the Council) that will underpin its annual Budget Setting process from 2020/21.

(b) Development Management Committee 3 October 2018

(c) Overview and Scrutiny Panel 4 October 2018

(d) Audit Committee 11 October 2018

A.32/18: Strategic Risk Assessment – Regular Update**RESOLVED**

1. That the updated Risk and Opportunity Management Strategy (as outlined in Appendix 3 of the presented agenda report) be adopted; and
2. That the Joint Risk Management Policy 2012 and the Joint Risk Management Strategy 2013 be rescinded.

(e) Overview and Scrutiny Panel 1 November 2018

O&S.60/18: Town Centres Strategy

In response to a question, officers agreed to provide a progress update on when the meeting with Town Councils, their Neighbourhood Planning Groups, local Ward Members and Council Officers was to take place.

- (f) Development Management Committee 7 November 2018

DM.40/18: Planning Scheme of Delegation

RESOLVED

That the amended Planning Scheme of Delegation (as set out in Appendix A of the agenda report presented to the Committee) be approved.

- (g) Licensing Committee 8 November 2018

L.11/18: Three Yearly Review of Gambling Statement of Licensing Principles

RESOLVED

That the amended Draft Scheme of Licensing Principles (as attached at Appendix A of the agenda report presented to the Committee) for the period 31 January 2019 to 30 January 2022 be approved.

- (h) Executive 22 November 2018

E.44/18: Annual Review of Health and Safety Policy Statement

RESOLVED

That the revised Policy be adopted and signed by the Head of Paid Service and the Leader of Council.

E.45/18(a): Drug and Alcohol Abuse – Outcome Report

RESOLVED

That the Council support and participate (wherever possible) in Police and Public Health England campaigns around drug reporting, harm minimisation and education.

E.45/18(b)2: Regulation of Investigatory Powers Act 2000 (RIPA)

RESOLVED

That the updated RIPA Policy (as attached at Appendix B of the agenda report presented to the Overview and Scrutiny Panel) be approved.

E.45/18(b)3: General Data Protection Regulation (GDPR) and Data Protection Policy Update

RESOLVED

1. That the updated Data Protection Policy (as detailed in Appendix A of the presented agenda report to the Overview and Scrutiny Panel) be approved;
2. That approval be delegated to the related Codes of Practice and Protocol Documents (as summarised in Section 3 of the agenda report presented to the Overview and Scrutiny Panel) to the Council's Data Protection Officer; and
3. That the approach and progress made towards GDPR readiness by the Information Governance Group be noted and supported.

E.46/18: Public Toilet Review

A Member asked the Council to note that a call-in had been invoked on the resolution arising from this Minute Number. It had now been confirmed that this call-in would be considered at a Special Overview and Scrutiny Panel meeting that was to be held on Wednesday, 12 December 2018.

(Meeting commenced at 10.00 am and concluded at 2.30 pm)

Chairman