

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 13 DECEMBER 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 2	E.51/18	Cllrs Baldry, Brazil and Green
Item 7	E.55/18	Cllr Brazil
Item 8	E.56/18	Cllrs Green, Cuthbert and Smerdon
Item 9	E.57/18	Cllrs Pearce, Brazil and Pennington
Item 10	E.58/18	Cllr Brazil
Item 11	E.59/18	Cllrs Smerdon, Pearce and Brazil
Item 12	E.60/18	Cllrs Smerdon, Rowe, Brazil and Steer
Item 13	E.61/18	Cllr Bramble
Item 14	E.62/18	Cllrs Brazil, Pearce, Bramble, Green, May, Brown, Cuthbert, Saltern, Baldry, Steer, Holway, Rowe, Smerdon

Also in attendance and not participating
Cllrs Hodgson and Hitchins

Officers in attendance and participating		
All items		Head of Paid Service, s151 Officer and Specialist – Democratic Services
Item 6	E.54/18	COP Lead Housing, Revenues and Benefits
Item 7	E.55/18	Revenue Specialist
Item 8	E.56/18	Senior Specialist Environmental Health
Item 9	E.57/18	COP Lead Assets
Item 12	E.60/18	Specialist Place Making
Item 14	E.62/18	Group Manager Business Development, COP Lead Assets

E.50/18 MINUTES

The minutes of the Executive meeting held on 22 November 2018 were confirmed as a true and correct record and signed off by the Chairman.

E.51/18 URGENT BUSINESS

The Leader advised that there were two items of urgent business to be considered. The first was an additional item that had been circulated entitled Dartmouth Health and Wellbeing Hub and this would be taken with Agenda Item 14: Commercial Development Opportunities.

The second urgent item was the resolution following the decision to Call In Executive Minute E.46/18 'Public Toilets Review' that had been considered at the special meeting of the Overview and Scrutiny Panel on 12 December 2018.

Members briefly discussed the Panel resolution and it was confirmed that only those areas highlighted at the meeting were included in the amendment.

It was then:

RESOLVED

That an addition be made to Minute E.46/18 to amend that resolution, such that proposals for public conveniences as listed at resolution 1d (Totnes Civic Hall, Coronation Road and Steamer Quay), be finally considered following a further consultation exercise, with the results being reported to the Executive at its meeting on 7 February 2019.

E.52/18 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting but none were made.

E.53/18 PUBLIC QUESTION TIME

It was noted that the following public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting:

1. Question received from Mrs Lesley Hughes:

'Ivybridge Neighbourhood Plan policy INP2 sought protections for development to the east of the river.

Glanvilles Mill owners are alarmed by this proposal so how does it meet the adopted Neighbourhood Plan policy without detrimental impact, and with no car parking strategy agreed what will be the longest stay?'

In response, Cllr Tucker asked that specific retailers were not referred to as that information was not in the public domain. He then responded that INP2 stated **no loss of capacity**. No capacity loss was planned as part of the proposal, only more intensive and more appropriate use – with a redesign of tariffs and use of other locations for long stay. Tariff design/fee structures had yet to be agreed, as these would need to be in consultation with community.

The principle of development only would need to be agreed here – parking changes will be determined at a later date if the proposal proceeds.

Mrs Hughes then asked a supplementary question in that if a discount foodstore looked at the situation in Ivybridge and saw that the car park was full, they may see that the proposal could jeopardise the town. How did Members think the proposal could work?

Cllr Tucker responded that more detail would come out when Agenda Item 14: 'Commercial Development Opportunities' was discussed (Minute E.62/18 below refers).

2. Question received from Cllr Elizabeth Silsbury:

'How are you able to justify building on a valuable town centre car parking area, which was already too small for the town's requirements, and wouldn't the proposal be detrimental and counterproductive to the investments that South Hams District Council has recently made to the Leisure Centre and Watermark facilities?'

In response, Cllr Tucker advised that the report set out the justification clearly. There was no intention to affect the sustainability of any Ivybridge facility. Footfall created by any proposed supermarket would provide potential users of the existing town centre facilities.

E.54/18 **COUNCIL TAX REDUCTION SCHEME**

A report was considered in line with the annual requirement for Councils to revisit their existing council tax support scheme and make a decision as to whether to replace or revise it.

The Lead Member for Customer First and Support Services introduced the report.

It was then:

RESOLVED

- (a) That the results to date of the Public Consultation for the Council Tax Reduction Scheme in section 4 of the report be noted; and
- (b) That the proposed approach (to adopt a 4 band scheme ranging from 85% to 25%) for the allocation and management of the new Council Tax Reduction Strategy be endorsed.

E.55/18 **BUSINESS RATES – SECTION 47 DISCRETIONARY RATES RELIEF POLICY**

The Executive considered a report that sought consideration and approval of a policy covering the ability of a Panel to consider and make Discretionary Awards of Relief against Non Domestic Rates demands, under section 47 of the Local Government Finance Act 1988.

The Deputy Leader introduced the report and, during the ensuing discussion, Members asked that a letter be written to the local MPs expressing disappointment that Rural Rate Relief was still only a mandatory 50% reduction.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council to approve the adoption of the Business Rates – Section 47 Discretionary Rates Relief Policy for the consideration and award of applications for Discretionary Rate Relief.

E.56/18 **CONSIDER THE CLEAN AIR STRATEGY FOLLOWING PUBLIC CONSULTATION**

Members considered a report that set out the Clean Air Strategy for South Hams and West Devon including proposed air quality action plans for Totnes, Ivybridge and Dean Prior.

In February 2018, the Council resolved to undertake a public consultation. The responses for Totnes area had highlighted that the community had additional ideas for improving air quality in the area that needed further exploration. There were significant concerns raised by Ivybridge Town Council and residents to the proposals, but no substantial alternative suggestions were brought forward.

The Lead Member for Customer First and Support Services introduced the report.

Members raised questions regarding the situation at Dean Prior, and the Senior Specialist Environmental Health advised that officers were working with Highways England but any solutions may impact on the strategic network.

In response to a question regarding the timeline for resolution of options regarding Totnes, the officer confirmed that it was hoped to have plans in place in time for the proposed adoption of the Joint Local Plan.

Finally, a Member queried the effectiveness of green travel vouchers and how they were assessed. In response, the officer advised that, under the Clean Air Strategy, it was proposed that the district council work with residents and any scheme coming forward would then be assessed by the district council.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that the Clean Air Strategy for South Hams and West Devon, including proposed air quality action plans for Ivybridge and Dean Prior, be adopted.

E.57/18 QUARTER 2 REVENUE BUDGET MONITORING 2018/2019

The Executive was presented with a report that enabled Members to monitor income and expenditure variations against the approved budget for 2018/19, and provided a forecast for the year end position.

The Deputy Leader introduced the report and responded to a number of queries.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2018/19 financial year and the overall projected overspend of £66,000 (0.7% of the total Budget £8.983 million) be endorsed.

E.58/18 CAPITAL PROGRAMME MONITORING

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

It was noted that the monitoring of the Capital Programme at Month 6 (end of September 2018) had not highlighted any significant areas of concern to report to Members and the anticipated level of expenditure was within the existing capital budget for each individual project.

The Deputy Leader introduced the report.

It was then:

RESOLVED

1. That the content of the report be noted; and
2. That Council be **RECOMMENDED** that £56,601 of the remaining 2017/18 capital programme contingency budget of £155,000 be approved to be allocated to the two capital projects set out in section 3 of the report as shown below:
 - Café, Cliff house Gardens, Salcombe £41,601
 - Air Handling Unit, Council Chamber £15,000

E.59/18 BUDGET PROPOSALS FOR 2019/20 ONWARDS UPDATE REPORT

Members were presented with a report that updated them on the forecasted budget gap for 2019/20 and set out the current options and timescales for closing the budget gap to achieve long term financial sustainability.

The Leader introduced the report. He expressed disappointment that only 15 Members had completed the online budget survey. The s151 Officer advised that an updated budget report would be circulated to Members in time for the joint Development Management and Overview and Scrutiny Panel meeting on 24 January 2019, following publication of the local government Finance Settlement expected later today.

It was then:

RESOLVED

- (i) That the forecast budget gap for 2019/20 of £0.391 million and the position for future years be noted;
- (ii) That the current options identified and timescales for closing the budget gap in 2019/20 and future years, to achieve long term financial sustainability be noted; and
- (iii) That a further budget update report be presented to the meeting on 24 January 2019 of the Joint Overview and Scrutiny Panel and the Development Management Committee for their views. (NB. this will include details of the Draft Finance Settlement).

E.60/18 RELEASE OF S106 FUNDS FOR OPEN SPACE, SPORT AND RECREATION AND ECOLOGICAL PROJECTS

Members were presented with a report that anticipated expenditure of funds already held by South Hams District Council, and those committed in s106 agreements yet to be triggered by development.

The report stated that approval would enable for a long term and comprehensive approach to be taken to projects and allow for Town and Parish Councils, community groups and other organisations to plan and phase projects and maximise chances to gain match funding from other sources.

The Lead Member for Customer First and Support Services presented the report and the Specialist Place Making responded to questions.

Members were advised of a minor correction in that Great Court Farm was showing as within Littlehempston and Marldon Ward when in fact it was situated in Berry Pomeroy parish but Totnes Ward. In addition, in relation to the restriction on pooling planning obligations, information had been received that government intended to lift this restriction, but changes to CIL regulations were awaited before the change could be applied.

It was then

RESOLVED

1. That the release or allocation of s106 funds for Open Space, Sport and Recreation projects (as set out in the presented agenda report) be approved;
2. That, where a project is identified, agreement of specific details be delegated to the relevant Specialist in consultation with the local Ward Member(s) and the Portfolio Holder for Customer First;
3. That, where an Open Space, Sport and Recreation Plan is proposed, agreement of details of specific projects within the plan be delegated to the relevant Specialist in consultation with the local Ward Members(s) and the Portfolio Holder for Customer First; and
4. That any substitution of alternative projects to those identified in Table 1 of the presented agenda report be delegated to the relevant Specialist in consultation with the local Ward Member(s) and Portfolio Holder for Customer First, subject to the alternative being in accordance with the s106 agreement and meeting pooling restrictions.

E.61/18

WRITE OFF REPORT

The Deputy Leader introduced a report that informed Members of the debt written off for revenue streams within the Revenue and Benefits service. Debts up to the value of £5,000 were written off by the s151 Officer under delegated authority. Permission was sought to write off individual debts with a value of more than £5,000.

During discussion, a Member requested that future reports include details of sums previously written off but subsequently collected.

It was then:

RESOLVED

1. That it be noted that, in accordance with Financial Regulations, the s151 Officer has authorised the write-off of individual South Hams District Council debts totalling £50,042.41 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 £53,579.00, as detailed in Table 3 of the presented report, be approved.

E.62/18 COMMERCIAL DEVELOPMENT OPPORTUNITIES

Members were presented with a report that sought approval of eight projects that met the objectives of the Commercial Property Strategy as approved by full Council in September 2018 (Minute 30/18 refers).

Members had a full discussion on this report, and each of the development proposal areas was discussed in turn.

During discussion, the following points were raised:

- (a) The Leader advised that the proposals were designed to support the economy in the South Hams, and all but one of the proposals would need planning permission;
- (b) Some Members, whilst supportive of the projects in principle, raised concerns over the figures and projections contained within the presented agenda report and stated that the proposals should be subject to thorough scrutiny, and an exit strategy should be in place for each proposal. In response, the Head of Paid Service confirmed that Commercial Development was one of the areas that the Internal Auditors had been asked to include on their Audit workplan for the following year;
- (c) Members were generally supportive of the proposal in Kingsbridge;
- (d) Members were supportive of the proposal in Totnes;
- (e) Members supported the proposal for Sherford, and accepted that this was a longer term proposal;
- (f) Members discussed the proposal for Beesands, and were advised that the local parish council had withdrawn support for the scheme once it had been made clear that responsibility for the public conveniences would fall with the parish council.

The importance of public conveniences in a beach location was noted, and Members were supportive of the scheme, whilst accepting that further negotiation would need to take place with the parish council;

- (g) Members supported the proposal at Shadycombe Car Park in Salcombe;
- (h) Members had a lengthy debate on the proposal for Ivybridge. Local Ward Members had raised concerns over the potential loss of car parking, and these concerns had been echoed by the Town Council. Other Members accepted these concerns, but felt that the proposal would bring footfall into the town, which would be of benefit to the economy of the town as a whole. The Leader advised that he would propose deferral of this proposal pending further information. Members supported deferral, but in doing so noted that, if the proposal did not progress quickly, then there was a chance that the opportunity would be lost and the risk that an alternative location, away from the town centre, would be found. This would have an even more detrimental effect on the economy of Ivybridge. Finally, there was discussion around revisiting the car parking strategy to ensure that it supported Ivybridge effectively;
- (i) Members supported the proposal for the Salcombe Harbour Workshop at Batson, although the Chairman of the Harbour Board raised concerns over the annual rental costs;
- (j) Members supported the proposal for the employment units at Batson, Salcombe and a local Ward Member confirmed that there was significant interest locally in this proposal;
- (k) Members discussed the urgent item, Dartmouth Health and Wellbeing Hub, and were generally supportive of the proposal being progressed. Members also recognised the benefits not only to Dartmouth, but to the surrounding villages too.

It was then:

RESOLVED

- 1) a: That the following projects (capital investment of £14.25m as per Exempt Appendix H), including the granting of leases in excess of 15 years where applicable, subject to Recommendation 2 being approved by Full Council on 17th January 2019, be approved:
 - i. Kingsbridge, Rope Walk Resource Centre development;
 - ii. Totnes, Steamer Quay office development;
 - iii. Sherford, commercial land acquisition;
 - iv. Beesands, beach huts;

- v. Salcombe, Shadycombe Car Park capacity increase;
- vi. Workshop for Salcombe Harbour at Batson (subject to consultation with the Salcombe Harbour Board); and
- vii. Employment Units, Batson; and

1) b: That the Ivybridge, Leonard's Rd Car Park supermarket proposal be deferred to a meeting of the Executive in early 2019, with an update being provided to the meeting on 7 February 2019; and

1) c: That, in respect of the urgent item – Dartmouth Health and Wellbeing Hub, that the principle of the scheme as set out in the briefing note, which will be subject to a detailed business case being presented to Executive Members once full financial details are known, be approved and officers instructed to move to the next stage of the project so as to start design work.

[NOTE. that, in line with the Executive Procedure Rules, preventing Members of the Executive from voting on matters within their own ward, please note the following abstentions in relation to recommendation 1 a: above:

i) Cllrs Gilbert and Wingate abstained from this vote; and

v), vii) and viii) Cllr Wright abstained from these votes]

2) That Council be **RECOMMENDED** to finance the following sums as set out within the Appendices of this report, subject to project approval above in Recommendation 1:

- i. To fund the acquisition of 10 acres of employment land at Sherford from the Business Rates Retention Earmarked Reserve (as set out in Appendix C of the presented agenda report);
- ii. To allocate £500,000 from S106 funding from Land at Torhill farm, Godwell Lane, Ivybridge (27_57/1347/14/F) to fund the Ermington Employment Units (thereby freeing up £0.5m of capital receipts funding); and
- iii. To fund the £610,215 upfront borrowing costs during the construction period of the projects (as set out in Exempt Appendix H) from a combination of the Business Rates Retention Earmarked Reserve (£285,215) and the Business Rates Pilot gain for 2018/19 (£325,000).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.55/18, E.56/18, E.58/18 (2), and E.62/18 (2) WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 17 JANUARY 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 24 DECEMBER 2018 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.35 pm)

Chairman