

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 7 FEBRUARY 2019**

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 7	E.67/18	Cllrs Baldry and Pearce
Item 10	E.70/18	Cllrs Baldry and Pearce
Item 11	E.71/18	Cllrs Hodgson and Vint
Item 12	E.72/18	Cllrs Baldry, Green and Pennington
Item 13	E.73/18	Cllrs Baldry, Brazil, Hodgson and Pearce
Item 14	E.74/18	Cllr Green
Item 15	E.75/18	Cllr Pearce
Item 16	E.76/18	Cllrs Baldry, Brazil, Green, Hodgson, Pearce and Vint

Also in attendance and not participating	
Cllrs Bramble, Holway, Rowe and Steer	

Officers in attendance and participating		
All items		Group Manager Customer First and Support Services, s151 Officer and Specialist – Democratic Services
Item 7	E.67/18	Commissioning Manager
Item 13	E.73/18	Commissioning Manager (Waste), Group Manager Commercial Services
Item 14	E.74/18	Senior Specialist, Environmental Health
Item 16	E.75/18	Group Manager Commercial Services, Environment Services Head of Practice
Item 17	E.76/18	Group Manager Commercial Services, Environment Services Head of Practice

E.63/18 MINUTES

The minutes of the Executive meeting held on 13 December 2018 were confirmed as a true and correct record and signed off by the Chairman.

By way of an update, the Chairman made reference to minute E.62/18: Commercial Development Opportunities, whereby it was stated that an update would be provided at the meeting on 7 February 2019 in respect of the proposals for Leonard's Road Car Park, Ivybridge, and he advised that a full report would be presented to the meeting of the Executive on 14 March 2019.

E.64/18 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.

It should be noted that in light of Executive Procedure Rule 1.9.4 (below):

‘Where a decision relates to an Executive Members’ local ward, that Member may take part in the discussion, but will abstain from any vote on the item.’

the Council’s Deputy Monitoring Officer had previously granted the Leader and Cllrs Bastone, Gilbert and Wright a Dispensation to be able to take part in the vote on agenda items relating to the Public Toilet Review (Agenda Item 16: ‘Public Toilet Project’ (Minute E.76/18 below refers). It was noted that this Dispensation would be in force until the next Annual Council meeting in May 2019.

E.65/18 PUBLIC QUESTION TIME

It was noted that no public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting.

E.66/18 EXECUTIVE FORWARD PLAN

Members were presented with the Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content without any comment.

E.67/18 CUSTOMER SATISFACTION – VERBAL UPDATE

The Lead Executive Member for Customer First provided a verbal update on the actions being implemented by officers to address customer satisfaction issues. He provided a number of statistics in respect of call volumes that evidenced how numbers were reducing, enabling more calls to be answered inside target timescales. The website now had a feedback button for customers, and solutions were being investigated that would enable customers to be contacted to assess feedback. There was a focus on the high volume areas including waste. In Development Management, measures were being introduced that would see more communication with customers. Next steps were to make status updates available as an online function. A new process was being rolled out in respect of how complaints were dealt with, and more detail would be shared in the coming months.

One Member stated that it would have been helpful to have received the update as a written report in advance of this meeting. Another Member asked that Ward Members and Town and Parish Councillors have access to the status updates on planning applications.

Finally, the Lead Member for Customer First confirmed that this had been an interim update and a full report would be presented to the Overview and Scrutiny Panel in due course.

E.68/18 **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 – 24 January 2019**

i. **OSDM.2/18 DEVELOPMENT MANAGEMENT – PERFORMANCE UPDATE**

It was then:

RESOLVED

That Council be **RECOMMENDED** that:

1. the actions being taken to secure improved performance within the Development Management Service be endorsed;
2. as part of the 2019/20 Budget Setting process, support be given to the addition of a Level 5 Specialist, at a cost of £29,000, within the Development Management service (to be funded through planning income); and
3. in the event of recommendation 2 (above) being approved, a further service capacity review be undertaken by the Overview and Scrutiny Panel six months after the additional Level 5 Specialist takes up their post.

ii. **OSDM.3/18 REVIEW OF FEES AND CHARGES**

RESOLVED

That Council be **RECOMMENDED** that:

1. the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports (as outlined in Appendix A of the presented agenda report) be approved;
2. the proposed Environmental Health Charges (as outlined in Appendix B of the presented agenda report) 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 and Section 151 Officer, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees to take account of market conditions, including competitor charges;
5. there are no changes to the Car Park Charges for 2019/20, except for where this has been agreed as an alternative to the implementation of Pay on Entry at public toilets (NB. a report will be presented to the Executive in this respect in due course);
6. the proposed changes to Boat Storage Charges (as set out in paragraph 3.7 of the presented agenda report) be approved;
7. delegated authority is given to the Group Manager for Commercial Services and Section 151 Officer, in consultation with the Portfolio Holder, to set the Commercial Waste charges, once all the price modelling factors are known; and
8. officers undertake a review into all aspects of fees and charges related to zoo licensing, with these being reported back to the joint Budget Consultation meeting in January 2020.

iii. OSDM.4/18 BUDGET PROPOSALS FOR 2019/20 ONWARDS UPDATE

The Executive noted the recommendations under this item for consideration with the Budget report later on the agenda (Item 9: Revenue Budget Proposals 2019/20)

It was then:

RESOLVED

That Council be **RECOMMENDED** that the joint meeting supports:-

1. the increase in Council Tax for 2019/20 of £5 (as outlined at paragraph 3.4 of the presented agenda report);
2. the financial pressures amounting to £1,354,700 (as shown in Appendix A of the presented agenda report);
3. the net contributions to/from Earmarked Reserves amounting to £782,300 (as shown in Appendix E of the presented agenda report);
4. the proposed savings of £1,060,226 for 2019/20 (as shown in Appendix A of the presented agenda report);
5. the proposed use of £500,000 of New Homes Bonus funding to balance the 2019/20 Revenue Budget (as shown in Appendix E of the presented agenda report); and
6. the following measures being implemented to close the predicted 2019/20 Budget Gap of £75,007:
 - reduce the contribution to the Planning Policy and Major Developments from £75,000 to £50,000;
 - remove the £7,000 allocated to the 'Communities Together Fund'; and
 - reduce the contribution to the Land and Development Reserve from £50,000 to £7,000.

iv. OSDM.5/18 CAPITAL BUDGET PROPOSALS FOR 2019/20

The Executive noted the recommendations under this item for consideration with the Budget report later on the agenda (Item 11: Revenue Budget Proposals 2019/20 Onwards Update Report)

It was then:

RESOLVED

That Council be **RECOMMENDED** that the joint meeting supports:-

1. the content of the Capital Programme Proposals for 2019/20 that totals £1,290,000 (as set out in Appendix A of the presented agenda report);
2. the content of the Capital Programme Proposals for 2019/20 that totals £14,001,000 (as set out in exempt Appendix B of the presented agenda report); and
3. the proposed financing of the 2019/20 Capital Programme of £15,291,000 from the funding sources (as set out in Section 4 of the presented agenda report).

i) **O&S.77/18 CAR PARKING PAY AND DISPLAY MACHINES – METRIC GROUP REPRESENTATIVES**

RESOLVED

That the Council be **RECOMMENDED** that officers consider, as a matter of urgency, the appointment of a new company to provide and maintain the Council's Car Parking Pay and Display Machines, with a progress report being presented to the Overview and Scrutiny Panel at its meeting on 13 June 2019.

ii) **O&S.80/18 PROCESS FOR SPENDING SECTION 106 FUNDING FOR AFFORDABLE HOUSING**

RESOLVED

That the current process for spending Section 106 Affordable Housing monies be retained.

iii) **O&S.82/18 CORPORATE STRATEGY**

RESOLVED

That the proposed actions (as detailed in Section 5 of the presented agenda report) be endorsed.

E.69/18 **QUARTER 3 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

1. That the forecast income and expenditure variations for the 2018/19 financial year and the overall projected overspend of £62,000 (0.7% of the total Budget £8.983 million) be endorsed; and
2. That Council be **RECOMMENDED** to transfer the underspend on Homelessness Prevention into the Homelessness Earmarked Reserve at the end of the 2018/19 financial year (currently expected to be £30,000).

E.70/18 **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 9 (end of December 2018) had not highlighted any significant areas of concern to report to Members. The majority of capital projects were within the existing capital budgets approved by Members. One of the schemes was overspent £2,342 (this equated to 0.08% of the 2018/19 capital budget of £2,991,486 and was detailed in Appendix A of the presented agenda report.

The Deputy Leader introduced the report.

It was then:

RESOLVED

1. That the content of the report be endorsed; and
2. That Council be **RECOMMENDED** that £115,000 of the remaining capital programme contingency budget of £248,399 be approved to be allocated to the two capital projects set out in exempt Appendix B of the report as shown below:
 - Salcombe Fish Quay Improvements; and
 - Modbury Millennium Bridge

E.71/18 **BUDGET PROPOSALS FOR 2019/20 ONWARDS UPDATE REPORT**

Members were presented with a report that set out the budget proposals for a balanced budget for 2019/20. The Council was currently forecasting a budget gap of £0.47 million for 2020/21.

The Leader introduced the report and stated that all Members had the opportunity to input into the process at the Joint Overview and Scrutiny Panel and Development Management Committee meeting held on 24 January 2019.

During discussion, one Member raised that surplus New Homes Bonus Funds should be invested back into areas of the community that needed social and affordable housing. In response, the Leader advised that he expected a report to be forthcoming to the next meeting of the Executive in March 2019 that related to housing projects.

Members then agreed that the letter written by the Leader to Ministers in respect of the council tax loophole was excellent. The Deputy Leader advised that copies had been sent to the MPs and the Housing

Minister and would be followed up. One Member felt that the Council could go further and support a proposal to double council tax on second homes.

It was then:

RESOLVED

That Council be **RECOMMENDED:**

- (i) To increase Council Tax by £5 for 2019/20 (which equates to a Band D council tax of £165.42 for 2019/20, an increase of £5 per year or 10 pence per week – as shown in paragraph 3.4 of the presented agenda report). This equates to a Council Tax Requirement of £6,315,689;
- (ii) To approve the financial pressures shown in Appendix A of the presented agenda report (amounting to £1,383,700);
- (iii) To approve the net contributions to/from Earmarked Reserves of £714,300 as per Appendix E of the presented agenda report;
- (iv) To approve the proposed savings of £1,067,226 for 2019/20 as shown in Appendix A of the presented agenda report;
- (v) To approve the proposed use of £500,000 of New Homes Bonus funding to balance the 2019/20 Revenue Budget as shown in Appendix E of the presented agenda report;
- (vi) To agree the Collection Fund Surplus of £112,000 as shown in Appendix B of the presented agenda report;
- (vii) To delegate to the S151 Officer, in consultation with the Leader and Executive Member for Finance, to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Fund for 2019/20;
- (viii) That the Council Tax Support Grant paid to Town and Parish Councils is reduced by 9.85% for 2019/20 as per Appendix A of the presented agenda report. This equates to a payment of £74,473 for 2019/20;
- (ix) That the Council should set its total net expenditure for 2019/20 as shown in Appendix B of the presented agenda report as £8,832,752;

- (x) That the minimum level of the Unearmarked Revenue Reserves is maintained at £1.5 million as per Section 10 of the presented agenda report; and
- (xi) That the level of reserves as set out within the presented agenda 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.72/18 **CAPITAL BUDGET PROPOSALS FOR 2019/20**

Members were presented with a report that set out the Capital Bids to the 2019/20 Capital Programme totalling £15,291,000 and a suggested way that the Bids could be funded. All items within the proposed Capital programme were based on budget estimates and would be subject to the normal project appraisal procedures.

The Leader introduced the report and he and the s151 Officer responded to questions.

It was then:

RESOLVED

That Executive support:

1. The content of the Capital Programme Proposals for 2019/20, which total £1,290,000 (Appendix A of the presented agenda report refers);
2. The content of the Capital Programme Proposals for 2019/20, which total £14,001,000 (Exempt Appendix B of the presented agenda report refers); and
3. The proposed financing of the 2019/20 Capital Programme of £15,291,000 from the funding sources set out in Section 4 of the presented agenda report.

E.73/18 **FUTURE GOVERNANCE ARRANGEMENTS FOR FRONTLINE SERVICES (WASTE AND CLEANSING)**

Members were presented with a report that sought approval to amend the Memorandum of Understanding to enable the mobilisation of the contract, since the Council approved the award of a partnership contract for the delivery of the services in scope, in December 2018.

The report also set out the details of the setting up of a Partnership Board, as required under the terms of the contract.

The Lead Member for Commercial Services introduced the report.

It was then:

RESOLVED

- (i) That the recommendation of the Frontline Services Project Board that the Memorandum of Understanding be amended to include the mobilisation of the contract be approved; and
- (ii) That the setting up of a Partnership Board as outlined in principle and as required under the terms of the contract be noted.

E.74/18

BUSINESS CONTINUITY MANAGEMENT STRATEGY AND WORK PROGRAMME

Members were presented with a report that presented a Business Continuity Strategy and Work Programme for recommendation to Council for approval. The report set out how the Council was under a legal duty through the Civil Contingencies Act 2004 to have a suitable and sufficient Business Continuity Strategy to ensure that at times of an emergency the Council could continue to support the emergency services.

The Leader introduced the report and advised that in reviewing the situation following the 'Beast from the East' storm, and in view of a recent Internal Audit report, that Business Continuity arrangements were revised. The Senior Specialist responded to questions.

In response to a question regarding Brexit, both the Leader and the Group Manager Customer First and Support Services updated Members on how matters relating to Brexit were cascaded to local authorities and information shared.

Finally, the Deputy Leader thanked the Senior Specialist for his experience and knowledge in respect of Business Continuity matters.

It was then

RESOLVED

- (i) That the Business Continuity Management Strategy, and proposed work programme had been considered; and
- (ii) That Council be **RECOMMENDED** that the Management Strategy and work programme be adopted.

E.75/18 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. There were no individual debts with a value of more than £5,000.

It was then:

RESOLVED

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 £64,820.21 as detailed in Tables 1 and 2 of the presented agenda report.

E.76/18 PUBLIC TOILET PROJECT

Members were presented with a report that asked for consideration of the recommendations for each facility and approval to proceed.

The Lead Executive Member for Commercial Services introduced the report and responded to questions of clarity. It was confirmed that the final report on this matter would be presented to the Executive at the next meeting on 14 March 2019.

It was then:

RESOLVED

1. That work continues with Totnes Town Council and Kingsbridge Town Council to find suitable funding proposals to recover Pay on Entry projected income at the following locations:

- Totnes – Civic Hall, Coronation Road and Steamer Quay;
and
- Kingsbridge – Fore Street

(Unless suitable funding alternatives are offered locally before the 28 February 2019, then Pay on Entry (PoE) equipment should be installed at these facilities.)

2. That the proposed approach of Salcombe Town Council (working in partnership with the Salcombe Harbour Board) to take over the management and running of the Salcombe Estuary Toilets for a 2 year trial period be endorsed. This proposal requires a transfer of the service budget to facilitate the pilot being agreed in detail.

(NB. Full details of the proposal are outlined in amended Paragraph 2.4ii of the presented agenda report and Appendix B.)

3. That the £9,000 request for the repair to the roof at Mill Bay in recognition that this maintains a facility which would otherwise have been permanently closed be considered. (NB. This will need to be funded from the central building and maintenance budget which the Council has for all its assets.)
4. That the position be noted in respect of public toilet facilities at:
 - Holbeton;
 - Newton Ferrers (Newton & Noss Parish); and
 - Staverton.

E.77/18 **PAY AND DISPLAY REVIEW**

Members were presented with a report that considered the recommendation to amend Pay and Display charges in accordance with the schedule at Appendix 1.

It was then:

RESOLVED

That Council be **RECOMMENDED** to make the following amendments to the South Hams Off Street Parking Places Order:

1. Pay & Display charges be amended in accordance with Appendix 1 of the presented agenda report, following consultation with local communities.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.69/18 (2), E.70/18 (2), E.71/18 (2), E.74/18 (2) and E.77/18 WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 21 FEBRUARY 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 18 FEBRUARY 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.30 am)

Chairman