

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 14 MARCH 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.82/18	Cllrs Saltern, Baldry, Brazil and Green
Item 8	E.83/18	Cllrs Pearce, Bramble, Steer, Pennington and Baldry
Item 9	E.84/18	Cllrs Hodgson, Baldry, Birch, Brazil and Cuthbert
Item 10	E.85/18	Cllrs Cuthbert, Green, Holway, Pearce, Saltern, Baldry, Pearce, Hodgson and Pennington
Item 11	E.86/18	Cllrs Brazil and Green

Also in attendance and not participating	
Cllrs May, Cane, Brown, Vint	

Officers in attendance and participating		
All items		Chief Executive, Group Manager Customer First and Support Services and Specialist Democratic Services
Item 8	E.83/18	Community Housing Lead
Item 9	E.84/18	Head of Environment Services Practice
Item 12	E.87/18	Head of Environment Services Practice
Item 15	E.90/18	Salcombe Harbour Master
Item 16	E.91/18	Senior Specialist Assets

E.78/18 MINUTES

The minutes of the Executive meeting held on 7 February 2019 were confirmed as a true and correct record and signed off by the Chairman.

E.79/18 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 and the following were made:

Cllr Tucker declared a personal interest in Item 8: Community Housing Delivery – Capital Requirements (Minute E.83/18 below refers), by virtue of Appendix A including land in his ownership. The Appendix set out future schemes that were not the subject of a decision at this meeting, and therefore he remained in the meeting and took part in the debate and vote thereon.

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.84/18 below refers). It was noted that this Dispensation would be in force until the next Annual Council meeting in May 2019.

E.80/18 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.81/18 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.82/18 IVYBRIDGE DEVELOPMENT PROPOSAL UPDATE

Members were presented with a report that updated the position in respect of development in Ivybridge, following deferral of a decision to approve a project to build a supermarket, for further information. The report summarised the work undertaken to date, and sought approval in principle of the project, subject to a detailed business case and agreement with third parties. The Leader introduced the report and a number of Members supported the way forward as set out in the report. During discussion, points made included the following:

- The importance of engaging with everybody and moving forward together;
- The Town Council position of having concerns but accepting that this was a starting point, and this proposal being better than what had previously been proposed;
- The value of the consultation and the balanced view of the responses;
- Appreciation for the hard work of the officers in undertaking the consultation;
- One Member asked that the hinterland of Ivybridge be included, particularly in terms of consultation and what would attract them to Ivybridge;
- The importance of understanding the parking issues within Ivybridge;

- The acknowledgement of the work of the Place Making team and future collaboration of towns working together.

It was then:

RESOLVED

1. That the findings of the Ivybridge 'Vox Pops' consultation be noted;
2. That the submission of an Expression of Interest to the Government's Future High Street Fund in respect of Ivybridge be supported; and
3. That the principle of a supermarket development within the Council owned Leonards Road and Glanvilles Mill car parks be approved, subject to an acceptable detailed business case and agreement with third parties. (NB. These will need to be in place before a final decision on progressing a development).

E.83/18

COMMUNITY HOUSING DELIVERY – CAPITAL REQUIREMENTS

The Executive was presented with a report that set out proposals for the funding of four community housing projects in South Brent, St Ann's Chapel, Brixton and Kingsbridge. The proposals were in line with the Community Housing Strategy.

The Leader introduced the report and outlined the importance of bringing such schemes forward. A number of Members strongly supported the proposals. In response to a question, the Deputy Leader confirmed that the funding received to support such schemes in areas of high second homes was to be used District wide. The Leader also advised that such schemes relied on landowners coming forward with available land. Finally, details were provided of how the affordable element of the homes would work.

It was then:

RESOLVED that Council be **RECOMMENDED:**

1. To approve community housing development expenditure of up to £8.5m to build out four community housing schemes delivering 55 residential units as set out in the report;
2. To approve funding of up to £8.5m to build the schemes from combination of internal borrowing and external borrowing (from the Public Works Loan Board)
3. That specialist treasury management advice is taken on the optimum way of financing the community housing schemes; and

4. To delegate authority to the Head of Assets Practice and s151 Officer to approve associated long leaseholds and disposals in consultation with the Leader of Council.

E.84/18 PUBLIC TOILET PROJECT

Members were presented with a report that updated them on the latest position in respect of the public toilet project and sought approval for the installation of Pay on Entry equipment in Kingsbridge and Totnes. The report also sought approval for the proposed approach in Salcombe as set out in the report.

The Lead Member for Commercial Services introduced the report, and in so doing asked that an additional recommendation be included, that the public conveniences at Manor Gardens, currently closed for the winter period, remain closed. The facilities were due to open from 1 April 2019 to 30 September 2019, but were now in a poor state of repair and would require capital spending to ensure they could be used. In view of the scheduled permanent closure, it was recommended that the facilities remain closed. The local Ward Member in attendance was in agreement with this proposal.

A number of Members stated their position that public toilets should not be closed. In response, the Lead Member advised that, taking expected closures into account, there were 35 public conveniences remaining open across the District.

One local Ward Member for Totnes sought to amend the recommendation related to Totnes public toilets, in light of the briefing note circulated to Members that updated the position. The Chief Executive explained that a formally agreed and minuted proposal was required and that had not yet been received. However, the recommendation had been written to enable progress to be made once the appropriate proposal had been received.

Finally, the Ward Member for Staverton asked for consideration to be given to the situation with the public toilets in Staverton, particularly in light of the recent closure of the neighbouring public house.

It was then:

RESOLVED

1. That the installation of Pay on Entry (PoE) equipment at Fore Street public toilets, Kingsbridge be approved;
2. That the installation of PoE equipment at the three public toilets in Totnes (Civic Hall, Coronation Road and Steamer Quay) be approved, unless an alternative funding solution is offered by the Town Council by 28 February 2019. It is further recommended that the decision on any alternative funding solution offered by the Town Council is assessed for financial and operational viability by the Head of

Environment Services Practice in conjunction with the Leader and Portfolio Holder in order to ensure it provides adequate compensation for any income not generated through PoE;

3. 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 two year trial period be approved. This proposal requires a transfer of the 2019/20 service budget to facilitate the pilot and, in the first year, includes a £9,000 contribution towards the roof repairs costs at Mill Bay. It is further recommended that the decision on whether any alternative funding solution offered by the Town Council is financially and operationally viable is taken by the Head of Environment Services Practice in conjunction with the Leader and Portfolio Holder;
4. That following further consultation, toilet services be retained at the following locations until 30 September 2019, where Parish Councils have decided against a full asset transfer
 - a. Newton Ferrers (Newton & Noss Parish)
 - b. Staverton
5. That following further consultation, the public toilet service at Holbeton be retained until 30 September 2019 only, unless a full asset transfer is agreed by the Parish Council;
6. That the public toilets at Manor Gardens remain closed.

E.85/18 **PEER REVIEW ACTION PLAN**

Members were presented with a report and proposed Action Plan, following the Peer Challenge of South Hams District Council, jointly with West Devon Borough Council. The Action Plan reflected the recommendations in the Peer Challenge Report.

The Leader introduced the report. Members were generally positive about the Action Plan, and the importance of Members engaging with their own communities and with Town and Parish Councils was noted. Engagement on Neighbourhood Plan matters was quoted as an example, and in response, the Deputy Leader advised that the Neighbourhood Plan Portal would soon be live, providing a network of information and help that could be accessed. One Member noted the work undertaken by officers in preparing workshops and briefings, and was disappointed at the level of attendance of councillors. The Chief Executive advised that this would be an area of the approved Members Induction Programme and also that, moving forward, Member's attendance at informal as well as formal meetings would be documented on the Council website.

It was then:

RESOLVED

1. That the Peer Challenge Action Plan as set out in Appendix A be implemented;
2. That the Local Government Association be asked to undertake a visit by the end of 2020 to follow up on progress in delivering the action plan; and
3. That Council be **RECOMMENDED** that a Joint Working Group be convened and the draft Terms of Reference for that Group be approved as set out in Appendix B.

E.86/18

CUSTOMER SATISFACTION ACTION PLAN PROGRESS

Members were presented with a report that detailed progress made to date in improving customer satisfaction and also included next steps to continue to improve the customer experience.

The Portfolio Holder for Customer First introduced the report, and the Portfolio Holder for Customer First and Support Services provided an update on performance of the Customer Contact Centre. The Group Manager Customer First and Support Services responded to a number of questions.

It was then:

RESOLVED

1. That the progress made to date in improving customer satisfaction as detailed in section 3 of the report be noted; and
2. That the next steps as outlined in section 5 of the report be endorsed.

E.87/18

GROUNDS MAINTENANCE REVIEW

Members were presented with a report that that requested support of a proposal to review the current Grounds Maintenance service in respect of efficiency and quality, with a view to ensuring the service had been health checked before a plan for service growth was developed.

The Lead Member for Commercial Services introduced the report and reminded Members that the Grounds Maintenance service made use of the apprentice placement scheme and this had proved to be valuable.

It was then:

RESOLVED

That the approach suggested in respect of a best value review of the current grounds maintenance service be approved.

E.88/18 EMPLOYEE TERMS AND CONDITIONS OF EMPLOYMENT

Members were presented with a report that presented the outcome of a review of options for reducing staff costs by varying terms from the Green Book from 2020/21. The report focussed on two main aspects. Firstly, the current contractual situation, the presence of the national joint collective bargaining machinery and the legal considerations to be taken into account if changes in terms and conditions were proposed. Secondly, a number of options pursued by other local authorities.

The Leader introduced the report, and Members view was that it contained innovative suggestions. One Member asked that it be noted that not all staff belonged to Trade Unions, and in response the Chief Executive confirmed that she recognised the wider cohort of staff. She also confirmed that any policies brought forward would take into account the needs of the organisation.

It was then

RESOLVED

1. That the options available in respect of employee terms and conditions as set out in the report be noted;
2. That the Head of HR Practice, in consultation with the Chief Executive and Trade Union representatives –
 - Develop a policy that enables employees to purchase additional annual leave;
 - Develop a policy for unpaid career breaks;
 - Review the Managing Attendance Policy and present recommendations to the Senior Leadership Team by September 2019;
 - Review the Essential User Car Allowance Scheme and eligibility by September 2019;and
 - Review the Councils Redundancy Scheme by March 2020.

E.89/18 EXCLUSION OF PUBLIC AND PRESS**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 items of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.90/18 **COASTAL ASSETS SERVICE UPDATE**

Members were presented with a report that updated on the work carried out with regard to service management and visitor safety on beaches and around coastal areas of the South Hams.

The Salcombe Harbour Master introduced the report.

It was then:

RESOLVED

1. That the re-introduction of an Avon Estuary management service within current budget as detailed in paragraph 2.9 of the presented agenda report be approved, with a review of service after 12 months;
2. That a future contract to support the lifeguarding summer service be negotiated and awarded on the basis outlined in paragraph 2.6 of the presented agenda report;
3. That beach and water safety, including equipment throughout the South Hams, be maintained at current or near current levels;
4. That the financial implications for the Council be noted.

E.91/18 **ACCOMMODATION STRATEGY – FOLLATON HOUSE**

Members were presented with a report that recommended further consideration of options to rationalise the estate to ensure the facilities were fit for purpose for the foreseeable future.

The Leader introduced the report.

It was then:

RESOLVED

That Council be **RECOMMENDED**

1. To approve the formation of a Member working group, following the election in May 2019, to review an appropriate future strategy for Follaton House in light of changes in operational requirements and increasing budgetary constraints; and
2. That the re-designation of the Arboretum as public open space to ensure its future use and management to secure it for the benefit of the local community, be approved.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.83/18, E.85/18 (3), and E.91/18 WHICH WERE RECOMMENDATIONS TO THE SPECIAL COUNCIL MEETING TO BE HELD ON 21 MARCH 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 25 MARCH 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.05 pm)

Chairman