

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD VIA TEAMS ON THURSDAY 28 JANUARY 2021**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr K J Baldry	*	Cllr N A Hopwood
*	Cllr H D Bastone (Vice Chairman)	*	Cllr J A Pearce (Chairman)
*	Cllr J D Hawkins		

Also in attendance
Cllrs Abbott, Birch, Brazil, Foss, Holway, Kemp, Long, McKay, O'Callaghan, Pennington, Pringle, Reeve, Rowe, Smerdon, Spencer, Sweet, Taylor and Thomas

Officers in attendance and participating		
All items		Senior Leadership Team; Democratic Services Manager; Specialist – Democratic Services; and Senior Specialist – Place Making
E.64/20		Corporate Procurement Officer

E.52/20 MINUTES

The minutes of the Executive meeting held on 17 December 2020 were confirmed as a true and correct record.

E.53/20 URGENT BUSINESS

The Chairman advised that there were no urgent items of business to be raised at this Committee meeting.

E.54/20 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.55/20 PUBLIC QUESTION TIME

It was noted that one public question had been received in accordance with the Executive Procedure Rules for consideration at this meeting.

This was as follows:

1. From Nicola Varney:

During the current lockdown could the Council please suspend charges in council car parks (as was done in the first lockdown and is the current policy of Cornwall Council) to:

1. Make it as easy as possible for essential workers to get to and from work; and;
2. Help residents working from home who have no off-street parking?

Response to Question:

‘Having considered national guidance, at the current time we will be continuing as normal with enforcement and parking charges and are unable to allow any special dispensation for residents. This approach is consistent with national advice and guidance from the British Parking Association (BPA). We have also spoken with colleagues across other Devon authorities who have confirmed they are continuing their normal parking regimes during this period. Can I just add, please note that the concession for care and health workers still applies, who will be able to use our car parks free of charge provided they are displaying an NHS permit.’

Supplementary Question via Cllr O’Callaghan:

Could this Council show understanding and make temporary concessions for hard pressed residents and issue temporary permits until the lockdown is over so if people can provide reasonable evidence they are working from home or in an essential job and need to park easily?

Response to Supplementary Question:

‘No, we cannot do that. It would be a totally subjective assessment and I cannot work out how we would define someone who is a hard pressed resident. So I regret we will not be lifting the charges for residents or anyone else in our town car parks.’

E.56/20 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.

E.57/20 FUTURE LOCALITIES SERVICE

Members were presented with the Future Localities Service Report setting out the recommendations for the proposed new Localities Service. The new structure of the Localities Service had been devised following recommendations from the Task and Finish Group.

During the discussion, thanks was given to the Localities Team for what was seen as a successful service developed out of the Transformation 18 Programme. The Leader thanked the officers, the Task and Finish Group, and the Lead Member for the report. Many Members agreed that this was a very useful service, particularly during the summer months of 2020, with one Executive Member outlining that these changes would improve the service still further.

It was then:

RESOLVED

- 1) That four additional seasonal posts be approved to operate from 1 April until 30 September (inclusive) each year;
- 2) That an additional £25,000 be built into the establishment base budget each year to meet the additional costs; and
- 3) That the new structure and approach (as set out in the presented agenda report) be noted with the new service being implemented from 1 April 2021.

E.58/20

REPORTS OF OTHER BODIES

That the following be received and that any recommendations contained therein be approved:

- A) **Overview and Scrutiny Panel – 19th November 2020;**
Minute O&S.24/20: SAFEGUARDING POLICY: ANNUAL REVIEW

RESOLVED

That the revised Safeguarding Policy (as set out at Appendix A of the presented agenda report to the Panel meeting) be noted and that a safeguarding related training package for all staff and Members be mandatory to complete.

- B) **Joint Overview & Scrutiny Panel and Development Management Committee – 14th January 2021**

- i) **OSDM.15/20: DRAFT REVENUE BUDGET PROPOSALS FOR 2021-22**

RESOLVED

That the Recommendations made by the Joint Overview & Scrutiny Panel and Development Management Committee be noted and considered as part of agenda item 9 of this meeting. (Minute E.59/20 below refers).

ii) **OSDM.16/20: REVIEW OF FEES AND CHARGES FOR 2021-22**

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. the level of fees and charges for Parks, Open Spaces and Outdoor Sports for 2021/22 be maintained at the current levels with no proposed increases (as set out in Appendix A of the presented agenda report to the Joint Meeting);
2. the Environmental Health charges for 2021/22 be maintained at the current levels with no proposed increases (as set out at Appendix B of the presented agenda report to the Joint Meeting);
3. the level of Fees and Charges for Planning Applications and Enforcement for 2021/22 be maintained at the current levels with no proposed increases (as set out at Appendix C of the presented agenda report to the Joint Meeting);
4. the proposed fees and charges for Street Naming for 2021/22 be approved as set out at Appendix C of the presented agenda report to the Joint Meeting;
5. the proposed Section 106 Monitoring fees for 2021/22 (as set out at Appendix C of the report presented to the Joint Meeting) be approved;
6. delegated authority be given to the Director of Place and Enterprise, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees in order to take account of market conditions, including competitor charges;
7. the proposed changes to Boat Storage Charges (as set out in paragraph 3.10 of the presented agenda report to the Joint Meeting) be approved;
8. delegated authority be given to the Section 151 Officer, in consultation with the lead Executive Member, to set the Local Land Charges as appropriate to ensure cost recovery; and
9. delegated authority be given to the relevant Head of Practice, in consultation with the relevant lead Executive Member, to adjust Fees and Charges within their service area by inflation at suitable periodic intervals, with reports being presented to the Executive as appropriate.

E.59/20

REVENUE BUDGET PROPOSALS FOR 2021-22

The Executive was presented with a report that outlined the draft revenue budget proposals for 2021/22. The Leader highlighted the differences made to the report subsequent to the Joint Overview & Scrutiny Panel/ Development Management Committee meeting held on the 14th January 2021.

The Chair of the Overview & Scrutiny Panel then spoke to Recommendation vi) options a) and b). Since the Joint Meeting, he had discussed both options with the Section 151 Officer and had decided that he was in favour of option b). This retained the remainder of the unallocated New Homes Bonus monies for 2021/22, £122,274 to be held in Reserve against the potential of a shortfall when the replacement to the New Homes Bonus was finally announced for 2022/23. The £122,274 unallocated New Homes Bonus from 2021/22 and the £235,016 unallocated New Homes Bonus from 2020/21 could then be retained to fund the £546,000 of New Homes Bonus funding needed to fund the revenue base budget in 2022/23.

The Executive then voted on option b) of recommendation vi, and this was carried unanimously.

It was noted that there had been good collaborative work on this budget across the political spectrum. The Leader outlined that the proposed £200,000 to be allocated to fund the Climate Change Action Plan should be used for projects which not only impacted on climate change but also helped ensure a green recovery, and help the Council achieve its aim of a zero carbon future.

Following a question from a Non-Executive Member, the Leader confirmed that specific projects would be determined by the Action Plan and The COVID-19 Recovery Plan. The Leader confirmed she has already asked officers to look at Climate Change and Biodiversity Regeneration projects that would help to support green recovery. It was noted that officers were currently fully engaged in responding to the pandemic, but it was hoped that within a month or so officers would be able to develop these projects.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council:-

- i) to increase Council Tax for 2021/22 by £5 (Band D of 175.42 for 2021/22 – an increase of 10 pence per week or £5 per year – equates to a 2.93% increase);
- ii) to approve the financial pressures shown in Appendix A of the presented agenda report (amounting to £696,761);
- iii) to approve the net contributions to/(from) Earmarked Reserves of £414,600 as shown in Appendix D of the

- presented agenda report, including the proposed use of £746,000 of New Homes Bonus funding to fund the 2021/22 Revenue Budget as set out in section 4.24 of the report;
- iv) to approve the savings of £122,191 (as shown in Appendix A of the presented agenda report);
 - v) to approve the Partnership funding levels (as set out in Section 5 of the presented agenda report), including a £10,000 contribution to the CVS in 2021/22 and 2022/23
 - vi) the allocation of £500,000* for funding for the Recovery and Renewal Plan and a further £200,000* funding for the Climate Change Action Plan, to be funded by:
 - a. withdrawing the contribution to the Planning Earmarked Reserve in 2021-22 of £50,000;
 - b. utilising £200,000 of New Homes Bonus funding from 2021-22 (instead of using £200,000 of New Homes Bonus funding for the 2021-22 Capital Programme); and
 - c. using £450,000 of funding from the Business Rates Retention Earmarked Reserve;
- (*This funding is to be put into an Earmarked Reserve for the purpose stated)
- vii) to transfer £380,789 (the fifth tranche of COVID funding as set out in sections 1.9 and 11.2 of the presented agenda report), into a COVID Earmarked Reserve, to protect against future COVID losses in 2021/22;
 - viii) to set its total net expenditure for 2021/22 (as shown in Appendix B of the presented agenda report) as £9,676,767;
 - ix) that the minimum level of the Unearmarked Revenue Reserve be maintained at £1.5million; and
 - x) that the level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates be noted. (NB. this is a requirement of Part 2 of the Local Government Act 2003).

E.60/20

CAPITAL BUDGET PROPOSALS FOR 2021-22

The Executive was presented with a report that outlined the draft Capital Budget proposals for 2021-22.

An Executive Member outlined that he would not be supporting any proposed capital spend on Follaton House until such time as the future of the Council Offices was determined.

The Section 151 Officer clarified that recommendation 2 and the note were no longer applicable following the decision made at E.59/20, and therefore these were removed.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council:-

- a) That the Capital Programme for 2021/22, which totals £2,380,000 (Appendix A of the presented agenda report refers) be approved; and
- b) That the 2021/22 Capital Programme of £2,380,000 be financed from the funding sources set out in Section 4 of the presented agenda report.

E.61/20

CAPITAL PROGRAMME MONITORING

The Executive was presented with a monitoring report that outlined the Capital Programme. This report covered the period from 1st April 2020 to 30th November 2020.

The Lead Member advised that there would be a separate report for an All Member briefing on the Community Housing Projects in the near future, with the Report being added to the Executive Forward Plan.

The Lead outlined that the report advised Members of the progress on individual schemes within the approved Capital Programme, including an assessment of the financial position and that all of the capital projects were within the existing capital budgets approved by Members (as outlined at exempt Appendix A of the presented agenda report). It was clarified that this exemption was due to the awarding of contracts being subject to the Council's procurement rules on competitive tendering, and therefore commercially sensitive.

Appendix C of the attendant report outlined an overview of the total remaining Section 106 deposits with some details around the purpose and conditions of these deposits.

It was highlighted that the Community Housing Fund Earmarked Reserve, in Appendix D of the presented agenda report, provided a revolving and recyclable fund if these projects ultimately went ahead. Further to a question from a Non-Executive Member, the Leader clarified that monies for the Community Housing Projects had been received from Central Government and not from local Council Taxpayers. Other monies to progress any scheme would be as a loan from the Public Works Loans Board and would be requested only when any project reached the stage of taking forward.

It was then:

RESOLVED

1. That the content of the Monitoring Report be noted; and
2. That a separate report be produced for an All Member Briefing on Community Housing Projects and a future report to the Executive be added to the Executive Forward Plan.

E.62/20

IVYBRIDGE REGENERATION PROJECT – UPDATE

The Lead Member for Enterprise presented the Executive with a report that updated on the Ivybridge Regeneration Project. It was highlighted that £65,000 for commissioning work had been previously agreed at the 17th September 2020 Executive Meeting. This money had been utilised by the project team to ascertain advice on planning, ecology, buildability, car parking regime, lease arrangements, and Treasury Management advice. An economic assessment of Ivybridge Centre was also commissioned.

The outcome of this work had shown the project to be technically and economically viable, with the regeneration project offering significant benefits to local economy and public realm. The Lead Member noted the scheme had strong support from residents, the business community, the local Town Council, Ward Members, and local stakeholders. The Member expressed his thanks to officers for the work involved in both project development and the resultant report.

One Non-Executive Member registered his views that the scheme had been a missed opportunity in imaginative regeneration but several Members of the Executive stated that building a supermarket was a recognised means to help regeneration. There was disagreement over how much this particular supermarket brand utilised local providers.

There was also a discussion regarding the options of retaining ownership of the land and building as opposed to selling the land to the supermarket chain, or getting the supermarket to build the store and just charging ground rent. The Director for Place outlined the reasons for maintaining control over the project, namely it allowed funding of significant improvements i.e. to the car parking, new cycle routes, the skate park, and allowed for a long lease to secure tenants.

A Member of the Executive commented that questions raised by Members in informal briefing sessions were not in the public domain and therefore the ability to raise questions again in this forum was important for transparency. He also outlined that although he would be supporting this item, it was reluctantly, as he felt this scheme was not a true regeneration project and offered to take Members on a tour of other regeneration schemes, once covid restrictions were lifted.

Another Member of the Executive highlighted the amount of money which had been allocated to Ivybridge in recent years to help with regeneration and outlined several projects, including the upgrade to the leisure facility.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council to:

- 1) approve the Ivybridge Regeneration project through to planning, tender, construction and lease (subject but not limited to the regulatory statutory planning process and the total scheme cost being within the £9 million financial envelope),
- 2) approve the financial case as set out within this report and the borrowing of £9 million from the Public Works Loans Board (PWLB) to finance the regeneration project,
- 3) approve the spend of up to £450,000, funded from the Business Rates Retention Earmarked Reserve, recognizing these will be abortive costs if the project does not proceed at any given stage pre-construction,
- 4) approve the procurement strategy and any associated contract awards,
- 5) approve variation of parking tariffs in principle, subject to final tariff design by the Head of Assets in consultation with the Commercial Portfolio Holder and Leader of the Council
- 6) delegate authority to the Head of Assets in consultation with Director of Place & Enterprise and Monitoring Officer to enter the Agreement for Lease (and subsequent lease of 25 years + 15 years) with the proposed Foodstore tenant.

E.63/20

SOUTH BRENT COMMUNITY HOUSING

The Leader presented the Executive with a report that outlined the request to modify the term of the previously approved loan to South Brent Community Land Trust. The modification was to alter the repayment term from two years to seven years. This modification was in response to terms outlined by the Ecology Building Society and the support of Homes England, and to cover the rental portion of the shared ownership properties. The Leader outlined a resultant benefit from the change to seven years, in that the Council now moved from second charge to first equal charge with the Building Society, but acknowledged that this now tied up the monies involved for longer therefore the sums would now be recyclable in seven years rather than two.

It was then:

RESOLVED

That the term of a previously approved, secured loan to South Brent Community Land Trust of up to £360,000 be modified from two years to seven years.

E.64/20 **DEVON DISTRICTS' PROCUREMENT STRATEGY**

The Leader presented the Executive with a report that outlined the Devon Districts' Procurement Strategy and highlighted that this was the third iteration of the Strategy, involving a collaboration with several local authorities in the South West. This strategy had been developed using the Sustainable Procurement Policy and procedure which had been approved by the relevant Councils in November 2019. The delay in getting this to the Executive had been due to a full agenda in November 2019, then the impact of the Covid pandemic, although it was noted that the Council had been working to this Strategy since November 2019.

It was noted that the Council already had one of the best local procurement records within Devon.

One Executive Member outlined the importance of procuring goods and services as locally as possible, which not only helped to keep money in the local area but also reduced the carbon footprint.

It was then:

RESOLVED

That the Executive:

1. Note the progress made in delivery of the previous Devon Districts Procurement Strategy 2014-2018;
2. Consider inclusion of South Hams specific objectives for inclusion within the delivery plan as set out in Section 5.3 of the presented agenda report; and
3. **RECOMMEND** to Council to adopt the Devon Districts Procurement Strategy 2019-2022 (including the objectives set out in recommendation 2).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.58/20 PART B ii), E.59/20, E.60/20, E.62/20, AND E.64/20 PART 3 WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 11 FEBRUARY 2021, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 8 FEBRUARY 2021 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10:00 am and concluded at 11:42 am)

Chairman