

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 18 JULY 2024**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
** Denotes attendance via Teams in a non-voting capacity			
*	Cllr V Abbott	*	Cllr N A Hopwood
*	Cllr J P Birch	*	Cllr J McKay
*	Cllr J Brazil (Chairman)	*	Cllr D M O'Callaghan
∅	Cllr N Dommett**	*	Cllr D Thomas (Vice Chairman)
*	Cllr J M Hodgson		

Non-Executive Members also present either in person or remotely for all or part of the meeting:
Cllrs Bonham, Dennis, Hawkins; Long, Nix (via Teams), Penfold, Steele (via Teams) and Taylor

Officers in attendance and participating:		
All items		Chief Executive; Section 151 Officer; Director – Place & Enterprise; Head of Democratic Services; Monitoring Officer; Assistant Director – Strategy; Head of Finance; Head of Housing; Senior Section 106 Officer; Head of Maritime (via Teams); Operations Director P&SD Freeport (via Teams); Salcombe Harbour Master; and Deputy Monitoring Officer

E.12/24 MINUTES

The minutes of the Executive meeting held on 6 June 2024 were confirmed as a true and correct record. Additionally, the minutes of the meeting of the Salcombe Harbour Board held on 18 March 2024 were received and noted.

E.13/24 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 there was none made.

E.14/24 PUBLIC QUESTION TIME

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

a) Richard O'Connell

Background:

My family recently offered two acres of land at Follaton free of charge to the council to use for social housing. We were led to believe that there is a desperate need in the Totnes area for such accommodation. The site offered is beside the main road and abuts the end of the present housing development. We were surprised and disappointed to be told by the housing dept that the planning department had rejected our offer stating that the site has "challenging access which would make the site unviable" when it is actually right next to the main road?

Question:

Would the Executive please tell us today of their costing for the proposed development, which led to the Planning department rejecting our offer.

Response from the Lead Executive Member for Housing, Environmental Health & Licensing:

"We would like to thank Mr O'Connell for the offer of part of his land-holding adjacent to Plymouth Road, on the outskirts of Totnes. Unfortunately, the Council does not make public details of viability costings as this is commercially sensitive information, but I can confirm that, after careful consideration of the site, including lack of support from planning and highways for development, the housing department here at the Council decided to decline the offer. Cited problems include access and the steep gradient, as well as lack of connectivity to the town.

Officers have a duty to allocate time and resources efficiently to provide best value, while at the same time minimising the risk of incurring abortive costs. As such we are proud to be currently progressing 5 other schemes around the district funded through the recently launched South Hams Housing Offer, under which community affordable housing schemes are brought forward.

The Council is appreciative of Mr O'Connell's desire to help deliver affordable housing and, if he wishes, we can forward details of the site to Registered Housing Providers we work with should Mr O'Connell wish to extend the same offer. To further assist, subject to agreement of terms for a 100% affordable scheme, the Council is prepared to contribute £5,000 from the South Hams Housing Offer viability fund to support the scheme, payable direct to the Registered Provider."

b) John Grocock

Background:

In May last year the Liberal Democrats 'swept to power' (Cllr Julian Brazil Totnes Times May 16), No doubt that fact that the previous Conservative incumbents had overseen a rise in Band A-D from 693 to 766 households played a significant part in this. However, with power comes responsibility, consequently:

Question:

I should like to know what that current figure is, how the electorate will be informed and what plans there are to reduce it.

Response from the Lead Executive Member for Housing, Environmental Health and Licensing:

"The housing register as of the 16 July 2024 has 933 applicants in housing need – Bands A-D and a further 796 people in no housing need. A total of 1729. Locally we are doing all that is possible to tackle the housing crisis, including acquiring property to use as temporary accommodation, and setting up our Community Affordable housing project, the South Hams Housing Offer, which has got off to a promising start.

However, because this is a National Emergency, changes in policy and legislation are required – we heard a lot about the Government's priorities in the King's Speech yesterday and the announced Renters' Rights Bill for example should be a positive step forward, including a pledge to end Section 21 so called 'no-fault evictions'. The Government plans to deliver 1.5 million homes this Parliament however local councils and Housing Associations have written to the Government to say that this will be impossible unless they get urgent help to ease the financial pressure that they are under. New figures show Housing Associations, the biggest developers of Social Housing, started 30% fewer homes in 2023/24 than they did in 2022/23.

Coming back here to the South Hams, our Council Plan gives details of some of the action that we will be taking in relation to lobbying for change. The Council Plan is reviewed and updated annually. Alongside this, we have a Housing & Homeless Strategy and an annual action plan which details all of our priorities and how we plan to address them. This is also reviewed annually through the Executive. All of these documents are available on our website and in paper form by request. Further to this, there is a housing update at every meeting of the Executive."

c) Joe Johnston

(Relating to Agenda item 15: Beesands Village Green Advisory Group Minute E.24/24 refers)

Question:

This Group is ideally placed to advise on maintenance and unlawful encroachments on the Green and there has been a lack of transparency and consultation over this proposal. As it's voluntary with no cost to Council, why is revoking being proposed as nothing has changed from when set up?

Response from the Leader of Council:

“A letter was sent to all households in Beesands asking for residents’ views on the future of the Village Green Advisory Group. The responses received had stated that the Group’s remit was too narrow and wider considerations were now required, to include the merits of replacing a Village Association that would encompass, for example, village car parking and the village pub and restaurant.

The Leader further advised the matter would be considered as a standalone agenda item later in the meeting (agenda item E.24/24 below refers).”

E.15/24 EXECUTIVE FORWARD PLAN

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months and the contents were duly noted.

In introducing the item, the Leader advised that, due to the volume of agenda items scheduled for the next Executive meeting to be held on 19 September 2024, a further meeting had been arranged for 10 October 2024 and a number of agenda items scheduled for the September meeting would therefore be rolled over to that meeting.

In discussion, the following points were raised:

- (a) Whilst acknowledging (and supporting) the decision to convene an additional Executive meeting, some Members emphasised their wish for the ‘*Management of Open Spaces*’ and ‘*Development of a Food Hub*’ agenda items to be retained on the agenda for consideration at the 19 September 2024 meeting;
- (b) Assurances were given that future iterations of the Forward Plan would see the column that related to consultation being populated with more information.

E.16/24 2023/24 DRAFT REVENUE AND CAPITAL OUTTURN

The Executive considered a report that provided the draft Revenue and Capital Outturn position for 2023/24.

During the ensuing debate, the following points were raised:

- (a) In citing the Woodland Creation capital schemes as examples, some Members requested that, for future versions of the Outturn report, it be specified how much of the monies were from alternative (external) grant funding sources;
- (b) With regard to the purchase of the bio shredder, it was highlighted that this was a key piece of equipment in the drive to increase community composting across the South Hams;
- (c) The lead Member repeated her previously raised concerns over the lack of financial support (and reference in the Council Plan) to the Cost of Living Crisis. As a way forward, the Chief Executive committed to facilitating a meeting between the lead Member and lead officers;
- (d) A Member stated that it was important to recognise that there were some considerable variations contained within the Outturn report. Whilst noting that the variations were tracked as part of the regular budget monitoring reporting process, the variations specifically relating to the staff pay award, temporary accommodation, external audit fees and ICT software were still felt to be worthy of mention;
- (e) It was noted that the annual accounts would be considered by the Audit & Governance Committee at its meeting to be held on 25 July 2024 and all Members were welcome to attend this meeting.

It was then:

RESOLVED

That the draft Revenue and Capital outturn figures for the 2023/24 financial year, including the overall Revenue outturn position of a surplus of £29,000 for 2023/24 (0.25% of the total Budget £11.738 million), be noted.

E 17/24

CORPORATE PEER CHALLENGE OUTLINE ACTION PLAN

As requested at its last meeting (Minute E.7/24 refers), the Executive was presented with a report that set out the outline Action Plan prepared in response to the recently undertaken Corporate Peer Challenge (CPC).

In discussion, particular reference was made to:

- (a) some of the target dates contained within the Action Plan. It was confirmed that some of the target dates (e.g. convening a meeting of the Member Development Steering Group) had slightly slipped as a consequence of the recent General Election;

- (b) Member input into the Action Plan. A Member was of the view that a Member Workshop would have been beneficial to enable all Members the opportunity to input into the Action Plan. In contrast, another Member felt that the CPC report and recommendations and the actions in response had been the subject of considerable Member debate. It was noted that there was the opportunity for further input by lead Executive Members ahead of the final version of the Action Plan being reported back to the next Executive Meeting;
- (c) the use of acronyms. Before the Action Plan was presented back to the Executive, a Member requested that acronyms be removed.

It was then:

RESOLVED

1. That the outline action plan (as set out at Appendix A of the presented agenda report) be endorsed; and
2. That the intention to further develop the Action Plan for agreement at the September 2024 Executive meeting, be noted.

E.18/24 PRODUCTIVITY PLAN

Members considered a report that sought approval for the content and publication of Productivity Plan. The report also sought approval for authority to be delegated to the Director of Finance to make any minor amendments to the Productivity Plan arising through the meeting.

In discussion, reference was made to:

- (a) the section titled '*barriers preventing progress that the Government can help to reduce or remove*' being welcomed;
- (b) the use of Artificial Intelligence (AI). A Member was aware of a report in circulation that set out the potential ability to generate service efficiencies and savings through AI. As a result, the Member felt that there would be merit in the Overview & Scrutiny Committee establishing a Task and Finish Group to consider what (if any) benefits there could be to the Council through the use of AI;
- (c) the wording in relation to the Devon Devolution Deal. In light of the view being expressed that the wording in the Plan could be misinterpreted to suggest that the Council supported the Devolution Deal, an amendment to part 2 of the report recommendation was **PROPOSED, SECONDED** and, when put to the vote, declared **CARRIED** whereby the lead Executive Member for Economic Development, Commercial Strategy and Governance be added to the Member consultees prior to final submission;

- (d) the additional monies generated by the intention to levy a 100% premium on Second Homes. Members reiterated their hope that Devon County Council would follow the lead of the District Council and ensure that the additional monies that were generated would be used towards the delivery of affordable housing schemes in the South Hams.

It was then:

RESOLVED

1. That the content and publication of the South Hams Productivity Plan (as set out at Appendix A of the presented agenda report) be approved;
2. That authority be delegated to the Director of Finance, in consultation with the Leader of Council and the Lead Executive Member for Economic Development, Commercial Strategy, and Governance to make any minor amendments to the Plan ahead of submission to the Department for Housing, Communities and Local Government by the deadline of 19 July 2024; and
3. That the Overview & Scrutiny Committee consider the merits of establishing an Artificial Intelligence (AI) Task and Finish Group to consider what (if any) benefits there could be to the Council through the use of AI.

(Note: at this point (11.25am) the meeting was adjourned for a period of 15 minutes)

E.19/24 INTEGRATED PERFORMANCE MANAGEMENT REPORT APRIL – JUNE 2024

A report was considered that provided a progress update on the first quarter of the 2024/25 operational year against delivery of the 'Council Plan'.

During the ensuing debate the following points were raised:-

- (a) The importance of each lead Member taking ownership and responsibility for their portfolio areas was emphasised;
- (b) With regard to complaints, it was noted that the Overview and Scrutiny Committee had responsibility for closely monitoring complaints;
- (c) Members thanked officers for the format and layout of the Performance Management report, which was felt to be well presented and therefore reader friendly.

It was then:

RESOLVED

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1. That the positive progress in delivering against actions in the adopted Council Plan be recognised; and
2. That the summary of the key operational performance and strategic risk profile of the Council be noted.

E.20/24 HOUSING PROJECTS: VERBAL UPDATE

The lead Executive Member for Housing; Environmental Health; and Licensing provided an update on recent activity undertaken.

In so doing, the lead Member made particular reference to:

- matters raised recently in the King's Speech at the formal opening of Parliament that were still being digested. In taking the point further, the Member expressed the wish for the recently appointed Deputy Prime Minister to be invited to visit the South Hams to gain an understanding and appreciation of the severe housing pressures being faced in the district;
- the first tenants being due to move into the St Ann's Chapel site before the end of August;
- contractors being on site at Westville, Kingsbridge with it being anticipated that the property would be ready to welcome its first occupants in the Autumn. For clarity, the property would realise 9 flats for temporary accommodation purposes;
- developers to start on site at Clay Park, Totnes, in partnership with the transition town Community Land Trust in August 2024. The Member informed that this site would deliver 27 homes, with them all being for social rent purposes;
- the Parkers Way, Totnes site. The Executive was informed that this Livewest Regeneration Scheme was estimated for demolition in the Autumn, with a start on-site to follow soon after. It was intended that this Scheme would deliver 35 mixed site units of rental accommodation;
- a local Housing Association had acquired 117 mixed site units at Sherford in addition to those secured under the Section 106 Agreement and these would start to be delivered in December; and
- Ivybridge Town Council was working in partnership to seek to deliver (subject to planning permission being acquired) up to 25 homes on the Butter Park Site. The proposals sought to deliver 8 flats for people with learning disabilities, who wished to live independently. A consultation event was planned for 25 July to which any interested Member was welcome to attend.

Following the extensive update, Members wished to put on record their thanks to the lead Executive Member and also to the Housing Team for its work in this incredibly difficult area.

In addition, a request was made for the spreadsheet that set out all of the delivery pipelines to be circulated to Members following this Executive Meeting.

E 21/24 FREEPORT - QUARTERLY UPDATE

The Executive considered a report that provided an update on the progress made across a multitude of work strands within the Plymouth and South Devon Freeport (PASDF).

In discussion, particular reference was made to:

- (a) the Task and Finish Group set up by the Audit & Governance Committee. In light of the previous formal request of the Executive (Minute E.96/23 refers), it was noted that the merits of re-convening a Group would be considered by the Audit & Governance Committee at its meeting to be held on 25 July 2024;
- (b) the emphasis on Net Zero. When questioned, Members were informed that, at present, there were no definitive plans in place to erect Wind Turbines at Langage.

It was then:

RESOLVED

That the update be noted

E.22/24 SPORTS PROJECTS IN IVYBRIDGE: ALLOCATION OF S106 FUNDING

Members considered a report that sought approval for the in-principle allocation of £947,800 towards improvement projects at seven sports organisations in Ivybridge.

In discussion, the following points were raised:

- (a) Members welcomed the report and the timely fashion in which the Section 106 monies were to be spent;
- (b) Whilst accepting the reasons, a local Ward Member still wished to express his disappointment that Section 106 monies that had been generated from the Smithleigh Hotel development site could not be spent within the Newton & Yealmpton ward;
- (c) A Member wished to make the point that recreation was a broader subject matter than just sport.

It was then:

RESOLVED

- 1) That the in-principle allocation of £947,800 of section 106 funds towards sports projects in the Ivybridge area as set out in the presented report, be approved;
- 2) That authority be delegated to the Senior Green Spaces and Recreation Officer, in consultation with the local Ward Members and the lead Executive Member, for the agreement of the specific details of each project;
- 3) That authority be delegated to the Senior Green Spaces and Recreation Officer, in consultation with the local Ward Members and the lead Executive Member, for the allocation of the remaining £198,777.61 capital Section 106 funds and £39,798.04 maintenance Section 106 funds; and
- 4) That, in the event of projects not going forward and funds being available for re-allocation, the substitution of alternative projects be delegated to the Senior Green Spaces and Recreation Officer in consultation with the local Ward Members and the lead Executive Member.

E.23/24

**TAMAR VALLEY NATIONAL LANDSCAPE - 2025-2030
MANAGEMENT PLAN - CONSULTATION DRAFT**

In line with the Statutory requirements for Local Authorities to produce Management Plans for National Landscapes in their area, the Executive considered a report that sought support for a public consultation to be held in advance of the finalised Tamar Valley National Landscape Management Plan being adopted in early 2025

There being no debate, it was then:

RESOLVED

1. That a public consultation on the Draft of the Management Plan be supported;
2. That authority be delegated to the Director for Place and Enterprise in consultation with the Lead Executive Member for Climate Change and Biodiversity, for the final content of the Council's formal response to the Consultation; and
3. That the final Management Plan be considered for adoption by the Executive at its meeting scheduled to take place on 6 March 2025.

E.24/24 **BEESANDS VILLAGE GREEN ADVISORY GROUP**

The Executive considered a report that sought approval for ending the Declaration by which the Advisory Beesands Village Green Group had been established. The report also sought approval for the closure of the Advisory Group in accordance with provision 12 of the Declaration as it was considered that the Advisory Group had served its useful purpose.

In discussion, some Members felt that the views of Stokenham Parish Council should have been sought before the report had been published. As a result, the following alternative recommendation was **PROPOSED** and **SECONDED**:

‘That this item be deferred until the next scheduled Executive meeting (to be held on 19 September 2024) to enable for the views of Stokenham Parish Council to be sought.’

When put to the vote, the alternative recommendation was declared **CARRIED**.

It was then:

RESOLVED

That this item be deferred until the next scheduled Executive meeting (to be held on 19 September 2024) to enable for the views of Stokenham Parish Council to be sought.

E.25/24 **EXCLUSION OF PUBLIC AND PRESS**

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 paragraph 3 of Schedule 12A to the Act is involved.

E.26/24 **HARBOUR MOORINGS BARGE**

Members considered an exempt report that sought approval for the procurement of a replacement Moorings Barge at Salcombe Harbour.

Members asked a number of questions of clarity and, following a brief discussion, it was then:

RESOLVED

1. That the procurement of a replacement harbour moorings barge, (considering all options available), be approved; and
2. That Council be **RECOMMENDED** to approve a budget for the moorings barge (on the terms as set out in the presented exempt agenda report) to be funded from the Harbour Board reserves.

E.27/24 **RENEWABLE COMMUNITY ENERGY TASK & FINISH GROUP FINDINGS - VERBAL REPORT**

The Chairman of the Audit & Governance Committee provided an update on the findings of the Renewable Community Energy Task and Finish Group

In so doing, the Member made particular reference to the key issues that had been considered by the Group in reaching its Recommendations and the Group was thanked for conducting such a detailed Review.

It was then:

RESOLVED

1. That financial support to the Community Energy Group in question by way of a grant, loan and/or share equity subscription should not be offered at this time; and
2. That the Council write to the Group, summarising the reasons for its decision, conveying thanks for the work done by the Group and expressing the Council's willingness to work with it in the future as and when the opportunity arose.

(Meeting commenced at 10.00 am and concluded at 1.10 pm)

Chairman

(NOTE: THESE DECISIONS WITH THE EXCEPTION OF MINUTE E.26/24 (Part 2) WHICH IS A RECOMMENDATION TO THE COUNCIL MEETING TO BE HELD ON 25 JULY 2024, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 29 JULY 2024 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)