

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 15 OCTOBER 2015**

Members in attendance: * Denotes attendance			
*	Cllr H D Bastone	*	Cllr R J Tucker
*	Cllr R D Gilbert	*	Cllr L A H Ward
*	Cllr M J Hicks	*	Cllr S A E Wright

Also in attendance and participating		
Item 7	E.31/15	Cllrs Bramble, Brazil, Hodgson, Pearce, Pennington and Saltern
Item 9	E.33/15	Cllr Pearce
Item 10	E.34/15	Cllrs Brazil, Hodgson, Pennington and Saltern
Item 11	E.35/15	Cllrs Baldry, Brazil, Hodgson, Pearce and Pennington
Item 12	E.36/15	Cllrs Brazil, Hawkins and Hodgson
Item 13	E.37/15	Cllrs Baldry, Brazil, Cuthbert, Hodgson, Holway, Pearce and Saltern
Item 15	E.39/15	Cllr Hawkins
Item 16	E.40/15	Cllrs Hodgson, Holway and Saltern
Item 17	E.41/15	Cllr Pennington
Also in attendance and not participating		
Cllrs Barnes, Brown, Green, May, Smerdon, Steer and Vint		

Officers in attendance and participating		
All items		Executive Director Strategy & Commissioning (SJ), Executive Director Service Delivery and Commercial Development (SD&CD) (SH) and Senior Case Manager (KT)
Item 7	E.31/15	COP Lead Specialist Place and Strategy (RK)
Item 8	E.32/15	COP Lead Specialist Assets (CB)
Item 9	E.33/15	Group Manager Commercial Services (HD)
Item 10	E.34/15	COP Lead Specialist Housing, Revenues and Benefits (IB), Case Manager (AL)
Item 11	E.35/15	COP Lead Specialist Finance (S151 Officer) (LB)
Item 12	E.36/15	COP Lead Specialist Finance (S151 Officer) (LB), COP Lead Specialist Assets (CB)
Item 13, 14 and 15	E.37/15, E.38/15, E.39/15	Operational Manager (Environment Services) (CA)

E.26/15 MINUTES

The minutes of the meeting of the Executive held on 10 September 2015 were confirmed as a correct record and signed by the Chairman.

E.27/15 URGENT BUSINESS – NEIGHBOURHOOD PLAN PROCEDURES

The Leader advised that he had agreed that an urgent report could be considered at this meeting entitled Neighbourhood Plan Procedures. This item was considered urgent in light of the associated time constraints and this would be taken as the next agenda item (Minute E.28/15 below refers).

E.28/15 NEIGHBOURHOOD PLAN PROCEDURES

Members were asked to consider an urgent report that sought agreement to approve the Neighbourhood Plan Procedures as set out in the presented report.

The Portfolio Holder introduced the report and proposed a slight correction to the first recommendation to amend the Portfolio Holder title. He took Members through the key parts of the report, and then the Lead Specialist – Place and Strategy confirmed that approval of this report would help to speed up the Neighbourhood Plan process, which was in line with the recently published central government intention to have Local Plan documents in place by 2017.

It was then:

RESOLVED

1. That authority to approve the neighbourhood Plan procedures set out in Appendix 1 of the presented report be delegated to the Lead Specialist, Place and Strategy, in consultation with the Customer First Portfolio Holder and the local ward member(s) for the designated Neighbourhood Plan area; and
2. That, subject to agreement of recommendation 1, appropriate changes be made to the Council's Neighbourhood Plan Protocol.

E.29/15 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. In accordance with the Council Constitution, r Cllr Bastone advised that he would abstain from the vote on agenda Items 14 'Operational Amendments to Off Street Parking Order' (Minute E.38/15 refers) and 15 'Dartmouth Park & Ride Service Review' (Minute E.39/15 refers) as both Items referred to matters within his local ward. He also abstained from the vote on Item 11: 'Medium Term Financial Strategy' (Minute E.35/15 refers).

E.30/15 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.31/15 OUR PLAN UPDATE

Members considered a report that updated them on the status of Our Plan, in particular the Development Plan element of the Plan. It made recommendations for next steps which involved an adapted approach focussed around the Housing Market Area (HMA) and a strengthened Duty to Co-operate arrangement. This would require an amendment to the Local Development Scheme which was the document that established the timescale for Our Plan.

The Leader introduced the report and confirmed that this matter would be on the agenda for the regular meetings held between the Leader, Deputy Leader and Executive Directors to enable monitoring of progress, capacity and resources.

The Chairman of the Strategic Planning Working Group added a number of comments, including that there had been some concern over the length of time taken over Our Plan, but it was a complex issue with a range of subjects within it, which had been interfered with by the myriad of changes in central government policy.

During discussion, the following points were raised:

- One Member hoped that the Council would be proactive and would encourage sites to come forward. The Chairman of the Strategic Planning Working Group confirmed that there may be an opportunity to review previously discounted sites. The Lead Specialist Place and Strategy confirmed that officers would go back over the existing evidence and be more proactive with sites;
- The Leader stated that Members could have a role in bringing sites forward. The Lead Specialist Place and Strategy stated that the guidance to Neighbourhood Plan groups would be refreshed;
- A Member requested quarterly reports on progress be brought back to the Executive. This was proposed, seconded and on being put to the vote carried and the recommendation was duly amended;
- Members noted that the Duty to Co-operate would be central to the process. Members also discussed the inclusion of Torbay within the defined Housing Market Area;
- One Member raised concerns over the level of infrastructure in place and noted that the Highways Authority and South West Water had a key role in this regard;
- The Leader asked that officers produce a briefing paper on the impact of the recently published Housing and Planning Bill;
- Members discussed the importance of objectively assessed housing need numbers and how policy objectives would be governed from this definitive number;

- One Member stated that the support of the Neighbourhood Plan groups would give security to Our Plan on the ground;
- One Member suggested that the name Our Plan should be revisited, but there was no support for this at this stage amongst his Executive colleagues.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that:

1. Option 2 for progression of *South Hams Our Plan*, as set out at section 4 of the presented agenda report, be pursued recognising that this will need a plan period to 2032 or 2033 or alignment with neighbouring authorities;
2. a detailed Duty to Co-operate protocol, or similar agreement, be established with neighbouring planning authorities within the Housing Market Area. This would address joint approaches to strategic planning relating to timetable, evidence, policies, strategic allocations, governance, staffing, scope of Housing Market Area, viability and infrastructure amongst other matters;
3. the Local Development Scheme be reviewed and re-issued in line with recommendation 1;
4. further evidence work (joint or specific) be procured as required;
5. the response to the Our Plan Topic Papers public consultations be published as set out at section 4 of the presented agenda report;
6. remaining Strategic Housing Land Availability assessment work be published as set out in section 4 of the presented agenda report and options for additional sites be explored;
7. a budget provision for 2016/17 of £75,000 be made for Our Plan examination anticipated to be met from the *Planning Policy and Major Development Reserve*.
8. guidance for Neighbourhood Plan Groups be issued to inform their work as it relates to Our Plan
9. a refreshed Our Plan Engagement Strategy be issued
10. regular updates be provided to the Strategic Planning Working Group
11. further monitoring reports be submitted to the Executive every three months and the Council as and when required making specific proposals for future consultation, consideration and submission of Our Plan
12. those specific details to be agreed under recommendations 2,3,6,8 and 9 be delegated to the Lead Specialist – Place and Strategy in consultation with the Chairman of the Strategic Planning Working Group and the Leader of Council.

E.32/15 BUSINESS DEVELOPMENT – ASSET MANAGEMENT STRATEGY

Members were asked to consider a report that sought approval of the updated Asset Management Strategy as detailed in the presented agenda report.

The Portfolio Holder for Business Development introduced the report. It was confirmed that a robust business plan would be expected in respect of any proposal to devolve assets.

It was then:

RECOMMENDED

That the updated Asset Management Strategy (as detailed in Appendix 1 of the presented agenda report) be approved.

E.33/15 PROVISION OF DISCRETIONARY INSPECTION SERVICES BY DEVON BUILDING CONTROL PARTNERSHIP

Members were asked to consider a report that sought agreement that the Devon Building Control Partnership provide inspections on behalf of new homes warranty providers where requested as set out in the presented report.

The Portfolio Holder for Commercial Services introduced the report and the Group Manager Commercial Services responded to questions relating to the Partnership acting in the capacity of providing New Homes Business Warranties when they had or had not assessed the progress of the build.

It was then:

RESOLVED

That the Devon Building Control Partnership provide inspections on behalf of new homes warranty providers where requested as set out in Section 2 of the presented agenda report.

E.34/15 COUNCIL TAX REDUCTION SCHEME

Members were asked to consider a report that recommended to agree to continue with the existing Council Tax Reduction scheme for 2016/17, and for delegated authority to be given to the Finance COP Lead in consultation with the Portfolio Holder to make amendments to the policy to take account of any further changes in law, government guidance or policy that required urgent attention.

The Portfolio Holder for Customer First introduced the report and advised that the recommendation should be amended for clarity to

include 'Support Services' after Portfolio Holder. Members discussed the exceptional hardship fund and officers were congratulated on how well the process was working and how the communication of the scheme when it was first introduced had been successful. The officer confirmed that they expected the amount spent of the exceptional hardship fund to increase as the year progressed.

A Member asked that the Overview and Scrutiny Panel include the Council Tax Reduction Scheme as an item on their future work programme. The Chairman responded by advising of the process to enable that to happen.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to:-

1. agree to continue with the existing Council Tax Reduction scheme for 2016/17 with:
 - 80% maximum liability restriction meaning that working age claimants pay a minimum of 20% towards their council tax bill;
 - a property valuation band D restriction meaning that working age claimants living in larger properties do not receive greater levels of support than those living in small properties; and
 - an exceptional hardship fund to help those claimants experiencing severe financial difficulties;
2. delegate authority to the Finance Community of Practice Lead (s151 officer), in consultation with the Portfolio Holder (Support Services), to make amendments to the policy document to take account of any further changes in law, government guidance or policy that required urgent amendment.

E.35/15

MEDIUM TERM FINANCIAL STRATEGY

Members were presented with a report that asked them to consider the five year Medium Term Financial Strategy and provided an indication of the budget principles to be adopted.

The Portfolio Holder for Support Services introduced the report.

The COP Lead Specialist Finance explained that the Financial Strategy was an iterative process and responded to a number of questions regarding the use of New Homes Bonus to be included in the base budget and how there would still be a budget gap in future years, even after accounting for the savings delivered from the Transformation Programme.

Members also discussed the possible future position in respect of business rates and the Executive Director (CD&SD) advised Members that they should not expect the changes to result in a net gain.

It was then:

RESOLVED

That the five year Medium Term Financial Strategy be considered and the presented budget principles be adopted with particular reference to:

- the level of council tax increase;
- the use of New Homes bonus to support the revenue budget;
- the outcomes of the Budget Workshop held on 30 September summarised in Appendix D of the presented report;
- the amount of Council Tax Support Grant to be passed on to Parish and Town Councils (appendix E of the presented agenda report refers);
- bringing forward income generation and budget savings; and
- maintaining the current Council policy on the minimum level of unearmarked reserves being £1.5 million.

E.36/15 CAPITAL PROGRAMME MONITORING REPORT

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

The Portfolio Holder for Support Services introduced the report. A local Ward Member for Dartmouth raised questions relating to the use of funds allocated to the public slipway to be transferred to fund a link corridor between the leisure centre at Dartmouth and the proposed new indoor swimming pool. The Executive Director (S&C) confirmed that the link was important and the funding of this was best explored through the procurement process.

A Member asked for further information on the redeployment of employment units, and another Member sought clarification on a project on Salcombe. In response to a query on updates on the leisure procurement project being circulated to town and parish clerks, the Executive Director (S&C) advised that updates would be sent when possible, but at this stage it was important not to breach commercial sensitivity.

It was then:

RESOLVED

1. That the report be noted;

That Council be **RECOMMENDED** that:

2. £153,000 of the capital programme contingency budget of £300,000 is approved to be allocated to the capital projects as set out in Appendix A of the presented agenda report; and
3. the capital budget for the purchase of a recycling depot is withdrawn from the Capital Programme as set out in Appendix A of the presented agenda report.

E.37/15

IVYBRIDGE PAY AND DISPLAY TARIFF REVIEW

Members were asked to consider a report that recommended approval of new Pay and Display tariffs for all car parks in Ivybridge, in response to the Ivybridge community requesting that South Hams District Council consider reviewing the tariffs so that community led tariffs are implemented. It was thought that this would encourage more footfall in the town and encourage visitors and shoppers to stay for longer.

The Portfolio Holder for Commercial Services introduced the report and outlined the proposed scheme. The Operations Manager Environment Services explained the financial modelling that supported the pilot. A local Ward Member advised Members of the background to the initiative and the detail of the proposal. He confirmed that local Ward Members had worked together with the Town Council and traders.

Members noted that the proposal was not cost neutral. It was also confirmed that commuter vehicles would be monitored and if the scheme was abused then the pilot would not be rolled out as a permanent scheme. If the pilot was successful, then the Town Council may consider supporting the scheme to cover any future financial shortfall.

It was then:

RESOLVED

That the proposed new Pay and Display tariffs for all car parks in Ivybridge, as detailed in paragraph 3 of the presented agenda report, be approved.

E.38/15

OPERATIONAL AMENDMENTS TO OFF STREET PARKING ORDER

Members were asked to consider a report that requested that amendments be made to the South Hams Off Street Parking Places

Order in respect of reserved parking bays in Mayor's Avenue Car Park Dartmouth, the provision of reserved parking for Leisure Centre customers at Dartmouth Park and Ride site, and the provision of parking on Dartmouth South Embankment.

The Portfolio Holder Commercial Services introduced the report. In discussion, Members asked that parking regulations on Dartmouth South Embankment be enforced.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that:

- a) the provision of the new reserved bays at Mayor's Avenue Car Park, Dartmouth, be added to the South Hams Off Street Parking Places Order;
- b) the provision of reserved bays for leisure centre customers, at Dartmouth Park & Ride site, be added to the South Hams Off Street Parking Places Order; and
- c) the provision of parking on the fish quay area on Dartmouth South Embankment to generate a revenue towards the maintenance of the structure be added to the South Hams Off Street Parking Places Order.

E.39/15 DARTMOUTH PARK & RIDE SERVICE

Members were asked to consider a report that sought approval of the proposal to carry out a tender exercise to appoint a contractor for the provision of the bus service for Dartmouth Park and Ride.

The Portfolio Holder for Commercial Services introduced the report and a local Ward Member asked that existing s106 funds be used to provide lighting to improve security in the area. The Leader responded that as Park and Ride was a Devon County Council (DCC) function, then perhaps DCC could be approached for support.

It was then:

RESOLVED

That the proposal to carry out a tender exercise in order to appoint a contractor for the provision of the bus service for Dartmouth Park and Ride be approved.

E.40/15 HEALTH AND SAFETY MANAGEMENT

Members were asked to consider a report that sought approval and recommendation of the Health and Safety Statement of Policy, and that the Statement of Policy be reviewed annually.

The Leader introduced the report and Members raised a small number of queries.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that:

1. the Health and Safety Statement of Policy be accepted and signed by the Head of Paid Service and the Leader of Council; and
2. The Health and Safety Statement of Policy be reviewed and signed annually on the occasion of the Annual Council Meeting.

E.41/15 REPORTS OF OTHER BODIES

RESOLVED

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

a) Overview and Scrutiny Panel – 17 September 2015

i. O&S.39/15 (2) SOUTH HAMS CVS MONITORING

RECOMMENDED

That Council be **RECOMMENDED** that the existing Service Level Agreement be renewed for a further twelve months on the existing terms (in accordance with clause 15.2 of the Service Level Agreement)

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.31/15, E.32/15, E.34/15, E.36/15 (2) and (3), E.38/15, E.40/15 AND E.41/15 a) i) WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 10 DECEMBER 2015, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 26 OCTOBER 2015 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.30 pm)

Chairman