

Please reply to: Darryl White  
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To: Chairman & Members of South Hams District Council

Our Ref: CS/DW

cc: Usual press and officer circulation

6 February 2013

Dear Councillor

A meeting of the **South Hams District Council** will be held in the **Council Chamber**, Follaton House, Plymouth Road, Totnes, on **Thursday, 14 February 2013 at 2.00 pm** when your attendance is requested.

Yours sincerely



Richard Sheard  
Chief Executive

<p><b>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT DARRYL WHITE DEMOCRATIC SERVICES MANAGER ON DIRECT LINE 01803 861247</b></p>
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## **A G E N D A**

1. **Minutes** – to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Council held on 13 December 2012 (pages 1 to 13);
2. **Urgent Business** – the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency (any such item to be dealt with under item 7 below);
3. **Confidential Business** – the Chairman to inform the meeting of any confidential item of business;
4. **Exempt Information** – to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information;
5. **Declarations of Interest** – Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;
6. **Chairman's Announcements**;
7. **Business Brought Forward by the Chairman** – to consider business (if any) brought forward by the Chairman as reported under item 2 above;

8. **Questions** – to consider the following questions received in accordance with Council Procedure Rule 8.

**From Cllr Pennington to Cllr Carter, lead Executive Member for Planning, Economy and Community**

- (i) Will the Executive Member for Development Management obtain from the Council's agricultural planning advisor the definitive criteria governing both the functional test and the financial test to enable Members to fully appraise the above tests when considering planning applications involving agricultural and horticultural implications?
- (ii) Will the Executive Member for Development Management request that the Council's agricultural advisor on agricultural and horticultural planning applications consider an invitation for him to attend an informal Council meeting to discuss his role in that process?
- (iii) Would the Executive Member for Development Management agree that where planning applications are under scrutiny by the Local Government Ombudsman, the Development Management Committee should not reach a final decision on such applications until the Council receives his or her final report?
- (iv) Would the Executive Member for Development Management agree that for all major planning applications an Environment Impact Assessment should be a requirement and should become Council policy?

**From Cllr Baldry to Cllr Hawkins, lead Executive Member for Environmental Health and Housing**

- (i) As the "viability" of profit levels now takes priority in residential housing approval, does the District agreed percentage affordable housing levels in our policy (AH DPD Sept 2008) serve any purpose?

**From Cllr Baldry to Cllr Bastone, lead Executive Member for ICT and Customer Services**

- (i) I am grateful for the recent briefing on rough sleepers. As you know there is a regular demand to house 10-15 homeless people in Totnes, the vast majority of who prefer to remain in Totnes. What additional steps are being made to house these people in Totnes in their own community?

**From Cllr Brazil to Cllr Hicks, Deputy Leader of the Council**

- (i) The Government has doubled the rate relief to small businesses from 50% to 100%. Due to an oversight, small rural businesses do not qualify. Will the Council be lobbying Government to right this wrong?

9. **Notice of Motion** – to consider the following motions received in accordance with Council Procedure Rule 10.1.

**(a) By Cllrs Pennington and Coulson**

For future budget procedure process, all Scrutiny Panels be provided with detailed agendas within their remits for full discussion to show proposed expenditure for all services over which they have scrutiny responsibilities together with outturn expenditure incurred for the previous financial year and full lists of changes in expenditure and reasons for those changes.

The Scrutiny Panel meetings to take place prior to the Joint Scrutiny Panels meeting to enable more in depth scrutiny of all Council services and to allow all Scrutiny Panels to make recommendations to the Joint Scrutiny Panels Budget meeting who can then make recommendations to the Executive and full Council.

**(b) By Cllrs Hannaford and Barber**

That this Council agrees when a viability assessment is necessary for a development, a summary of the report is sent to the Ward Member/s as an exempt item before it is discussed at the Development Management Committee meeting or considered for delegated authority.

**(c) By Cllrs Pennington and Holway**

Authority be delegated in the Affordable Housing Allocations Policy review to the Head of Environmental Health and Housing in consultation with the Executive portfolio holder and the local ward council member to implement minor changes following consultation with registered providers and parish and town councils.

10. **Presentation from the Lead Executive Member for Planning, Economy and Community** – presentation to focus on the current achievements, aims and challenges which are ongoing within the Planning, Economy and Community Service;
11. **Revenue and Capital Budget 2013/14** – to consider a report which presents the recommendations of the Executive on the proposals for the Council's Budget for 2013/14 (circulated separately);
12. **Reports of Bodies** – to receive and as may be necessary approve the minutes and recommendations of the under-mentioned Bodies:-

Council Body		Date of Meeting	Minute Nos.	Page Nos.
a	Corporate Performance & Resources Scrutiny Panel*	3 January 2013	CPR.24/12 – CPR.33/12	14 - 23
b	Joint Scrutiny Panel	10 January 2013	JSP.1/12 – JSP.3/12	24 - 29
c	Audit Committee*	10 January 2013	A.19/12 – A.24/12	30 - 33
d	Development Management Committee*	16 January 2013	DM.39/12 – DM.44/12	34 - 48
e	Executive	24 January 2013	E.69/12 – E.80/12	49 - 57
f	Salcombe Harbour Board*	4 February 2013	SH.42/12 – SH.56/12	To follow

\* Indicates minutes containing recommendations to Council.

**Members of the public may wish to note that the Council's meeting rooms are accessible by wheelchairs and have a loop induction hearing system.**

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**An optional lunch will be available for all Members  
in the Dining Room at 1.00 pm**

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**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER  
THIS AGENDA HAS BEEN PRINTED ON ENVIRONMENTALLY FRIENDLY PAPER**

If you or someone you know would like this publication in a different format, such as large print or a language other than English, please call Darryl White on 01803 861247 or by email at: [darryl.white@southhams.gov.uk](mailto:darryl.white@southhams.gov.uk)