

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 23 OCTOBER 2014**

Members in attendance:			
* Denotes attendance			
*	Cllr H D Bastone	*	Cllr R J Tucker (Chairman)
*	Cllr R D Gilbert	*	Cllr L A H Ward
*	Cllr M J Hicks (Vice Chairman)	*	Cllr S A E Wright
*	Cllr M F Saltern		

Also in attendance and participating		
Item 7	E.33/14	Cllrs Brazil, Foss, Rowe and Squire
Item 8	E.34/14	Cllr Brazil
Item 9	E.35/14	Cllr Pennington
Item 10	E.36/14	Cllrs Barber, Brazil and Pearce
Item 11	E.37/14	Cllrs Pearce
Item 12	E.38/14	Cllr Smerdon
Item 13	E.39/14	Cllr Baldry
Item 3	E.40/14	Cllrs Baldry, Barber and Pennington
Also in attendance and not participating		
Cllrs Blackler, Bramble, Cuthbert, Coulson, Gorman, Hitchins, Holway and Steer		

Officers in attendance		
All items	Minute Ref	Executive Director (AR) and Member Services Manager
Item 7	E.33/14	Natural Environment and Recreation Manager
Item 8	E.34/14	Customer Services Manager
Item 9	E.35/14	S151 Officer
Item 10	E.36/14	S151 Officer
Item 11	E.37/14	S151 Officer
Item 12	E.38/14	S151 Officer and Customer Services Manager

E.29/14 MINUTES

The minutes of the meeting of the Executive held on 11 September 2014 were confirmed as a correct record and signed by the Chairman.

E.30/14 URGENT BUSINESS

The Chairman advised that he had agreed that an urgent report could be considered at this meeting entitled: 'Executive Director Recruitment and Interim Senior Management Arrangements' and this would be taken as the last agenda item (E.40/14 below refers).

E.31/14 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.32/14 **PUBLIC QUESTION TIME**

It was noted that no public questions had been received.

E.33/14 **SOUTH DEVON AND TAMAR VALLEY AREAS OF OUTSTANDING NATURAL BEAUTY: MEMORANDA OF AGREEMENT AND RELATED MATTERS**

Members were asked to consider a report that sought agreement to the Council being involved in a comprehensive review of the delivery options of AONB activities currently being led by the respective AONB partnerships in order to identify preferred delivery options for 2016/17 onwards.

The Executive Portfolio Holder for Assets introduced the report and outlined the recommendations in full.

During discussion, the following points were raised:

- The Natural Environment and Recreation Manager advised the Members that Cornwall Council had responded in relation to the Tamar AONB and would enter into a Memorandum of Agreement (MOA) for the following year;
- He also advised that an activity analysis was being undertaken by the AONB team. An initial review by Ignite indicated a potential saving of 15 – 20% although the complexities of the partnership approach would be recognised;
- A number of Members confirmed that the council was committed to supporting the AONB and also expressed concern at the approach being taken by Defra;
- One Member stated that there was concern in the community that the AONB unit should retain independence from the Council;
- One Member confirmed support for the AONB but also noted that there was a responsibility to the taxpayer to ensure the unit ran as efficiently as possible.

In order to discuss the detail within the exempt appendix to the report, the following resolution was **PROPOSED, SECONDED** and on being put to the vote **CARRIED**:

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.

Following a discussion, the following was **PROPOSED, SECONDED** and on being put to the vote **CARRIED**:

RESOLVED

That the public and press be re-admitted to the meeting.

It was then:

RESOLVED:

1. That Council be **RECOMMENDED** to enter into renewed Memoranda of Agreement (or similar) for the South Devon AONB and Tamar Valley AONB covering 2015/16 based on an assumed standstill budget (subject to ratification during the budget setting process);
2. That Authority be delegated to the Natural Environment and Recreation Manager, in consultation with the Portfolio Holder, to agree the final wording of the Agreements;
3. That officers be instructed to participate in structured reviews of the future options for delivery of both AONB delivery programmes from 2016/17 onwards and to report back to Executive on preferred options;
4. That a T18 Activity Analysis and Proof of Concept be completed of the current activity of the South Devon AONB Team for consideration as part of the review of future options; and
5. That a response be sent to the Cornwall Council consultation on future funding of the Tamar Valley AONB recommending that the situation be stabilised for 2015/16 through a renewed MoA and that post 2016/17 funding decisions be reviewed in light of the outcomes of the future delivery options work.

E.34/14 COUNCIL TAX REDUCTION SCHEME 2015/16

Members were asked to consider a report that sought agreement to continue with the existing Council Tax Reduction Scheme for 2015/16.

The Executive Portfolio Holder for Corporate Services introduced the report and drew Members attention to the situation as at the end of August 2014. A number of Members stated that this was a positive report and that the team should be congratulated, although careful monitoring, particularly with Christmas approaching, would be important.

It was then:

RESOLVED

That Council be **RECOMMENDED**:

1. to agree to continue with the existing Council Tax Reduction scheme for 2015/16; and
2. to delegate authority to the s151 Officer, in consultation with the Portfolio Holder for Corporate Services, to make amendments to the policy document to take account of any further changes in law, government guidance or policy that require urgent amendment.

E.35/14 REVENUE BUDGET MONITORING REPORT 2014/15

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2014/15, and provided a forecast for the year end position.

During discussion, a Member was disappointed with the performance of the Dartmouth Lower Ferry and they hoped that measures would be in place to address this trend.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2014/15 financial year be noted.

E.36/14 CAPITAL PROGRAMME MONITORING REPORT

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

The Executive Portfolio Holder for Support Services introduced the report.

During discussion, one Member asked about the strategies in place to reduce expenditure on Disabled Facilities Grants (DFG). The Executive Portfolio Holder for Environmental Health and Housing responded in detail and concluded that Members might feel it appropriate for the Community Life and Housing Scrutiny Panel to look at the efficiency and effectiveness of the current scheme. The Executive Director added that the DFG scheme had enabled a massive difference to people's lives for a relatively small investment.

Some Members then queried the reference to Fore Street car park in Kingsbridge. The Estates Manager advised that this project was in a very early stage but had been included in an earlier report that advised Members of the outcome of the Strategic Asset Review. One Member stated that affordable housing was important, but not at the expense of market towns. The Executive Portfolio Holder for Environmental Health and Housing responded that towns and parishes had been asked to put sites forward for housing and it would not be appropriate to do this without the district council also undertaking the same exercise. In response to the point that this project had seemingly appeared from nowhere, the Estates Manager advised that this was one of a number of sites that the Council was looking at and undertaking assessments on.

It was then:

RESOLVED

That the report be noted.

E.37/14 TREASURY MANAGEMENT: MID YEAR UPDATE

Members were presented with a report that updated them on the Treasury Management function for the first six months of the financial year 2014/15.

The Executive Portfolio Holder for Support Services introduced the report and the s151 Officer responded to specific queries in relation to the Cooperative Bank.

It was then:

RESOLVED

That the report be noted.

E.38/14 WRITE OFF REPORT Q1 AND Q2

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit up to the value of £5,000, written off by the S151 Officer under delegated authority, and for those debts in excess of £5,000 for which permission to write off had been sought.

The Lead Executive Member for Finance and Audit introduced the report and requested a minor amendment to the recommendation to read that the Executive approved the write off of individual debts in excess of £5,000 rather than considered the write off of individual debts in excess of £5,000. The s151 Officer responded to queries in relation to specific cases.

It was then:

RESOLVED

1. That in accordance with Financial Regulations, the s151 Officer had authorised the write-off of individual South Hams District Council debts totalling £136,213.47 as detailed in Tables 1, 1a, 2 and 2a of the presented report, be noted.
2. That the write off of individual debts in excess of £5,000 as detailed in Tables 3 and 3a of the presented report be agreed.

E.39/14 REPORTS OF OTHER BODIES

RESOLVED

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

a) **Community Life and Housing Scrutiny Panel – 11 September 2014**

i) **CLH.15/14 EMPTY HOMES STRATEGY**

RECOMMENDED

That Council be **RECOMMENDED** that the Empty Homes Strategy 2014 (as outlined at Appendix A of the presented agenda report) be adopted.

b) **Corporate Performance and Resources Scrutiny Panel – 2 October 2014**

i. **CP&R.17/14 MONITORING REPORT ON SERVICE LEVEL AGREEMENT WITH SOUTH HAMS CVS 2013/14**

RESOLVED

That the Executive support the CVS by writing to Devon County Council in respect of their contribution to the CVS in relation to public health.

ii. **CP&R.19/14 RIPA POLICY AND UPDATE ON THE USE OF RIPA**

RESOLVED

- a) That Council be **RECOMMENDED** that the amended RIPA Policy be approved and that delegated authority be granted to the Monitoring Officer to make any necessary legislative or best practice changes to the Policy;
- b) That the service leads are appointed as RIPA Authorising officers following their appointment;
- c) That the Monitoring officer appoint one of the legal team to be the RIPA Coordinating Officer; and
- d) That the Panel note that there have been no RIPA authorisations during the last quarter.

E.40/14

EXECUTIVE DIRECTOR RECRUITMENT AND INTERIM SENIOR MANAGEMENT ARRANGEMENTS

Members were presented with an urgent report that set out the timetable for recruitment of the Executive Director (Strategy and Commissioning) and Head of Paid Service post and suggested interim senior officer arrangements to maintain progress of the T18 Transformation Programme. The report was judged to be urgent to ensure that both permanent and interim senior management arrangements could be progressed as quickly as possible in the interests of the organisation.

(NOTE. The Executive Director (AR) left the meeting room at this point)

The Chairman introduced the report. He also proposed an amendment to the detail within the report that the current Executive Director (Communities) and Head of Paid Service should continue to work under current arrangements until 31 March 2015 (rather than 31 December 2014 as stated in the report). This was **PROPOSED**, **SECONDED** and on being put to the vote declared **CARRIED**.

During discussion, a number of Members supported the proposed way forward and felt it would add stability that would benefit staff and the T18 Programme. However, concerns were raised over the recruitment methods and whether they would result in the best possible candidates being appointed.

It was then:

RESOLVED

That authority be delegated to the HR Community of Practice Lead, in consultation with the Leader and Deputy Leader, to agree the detailed arrangements in relation to Executive Director and Group Manager recruitment, as well as the interim senior management proposals.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTE E.13/14 (1), E.34/14, E.39/14 a) i) AND E.39/14 (b) ii) a) WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 18 DECEMBER 2014, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 3 NOVEMBER 2014 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.30 am)

Chairman