

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 11 DECEMBER 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.44/14	Cllrs Brazil, Carson, Cuthbert, Hawkins, May and Pennington
Item 8	E.45/14	Cllr Baldry, Barber, Brazil, Coulson and Pennington
Item 9	E.46/14	Cllrs Baldry, Brazil, Coulson and Foss
Item 10	E.47/14	Cllrs Barber, Baldry, Brazil, Carson, Coulson, Hawkins, Hitchins, Hodgson and Pearce
Item 11	E.48/14	Cllrs Barber, Foss and Hodgson
Item 12	E.49/14	Cllr Hodgson
Item 14	E.51/14	Cllrs Brazil, Hawkins and Hodgson
Item 15	E.52/14	Cllr Barber
Also in attendance and not participating		
Cllrs Baverstock, Bramble, Cane, Gorman, Holway, Smerdon, Squire, Steer and Stone		

Officers in attendance		
All items	Minute Ref	Executive Directors (AR) and (TW) and Member Services Manager
Item 7	E.44/14	Head of Assets
Item 8	E.45/14	S151 Officer
Item 9	E.46/14	S151 Officer
Item 10	E.47/14	S151 Officer and Head of Assets
Item 11	E.48/14	Strategic Planning Manager
Item 12	E.49/14	Strategic Planning Manager
Item 13	E.50/14	Strategic Planning Manager
Item 14	E.51/14	Street Scene Manager

E.41/14 MINUTES

The minutes of the meeting of the Executive held on 23 October 2014 were confirmed as a correct record and signed by the Chairman.

E.42/14 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 and the following was made:

Cllr Saltern declared a potentially Disclosable Pecuniary Interest in Item 15 'Reports of Bodies – Community Life & Housing Scrutiny Panel: 6 November 2014' (Minute E.52/14 below refers) by virtue of serving on the Devon and Cornwall Housing Community Interest Company (CIC) Board. He advised that, in the event of any questions being asked when these minutes were presented, he would leave the meeting room;

Cllr Ward declared a personal interest in Item 9 'Revenue Budget Proposals 2015/16' (Minute E.46/14 below refers) by virtue of being involved with the CAB and she remained in the meeting and took part in the debate and vote thereon;

Cllr Gilbert declared a personal interest in Item 9 'Revenue Budget Proposals 2015/16' (Minute E.46/14 below refers) by virtue of being involved with the CAB and he remained in the meeting and took part in the debate and vote thereon;

Cllr Tucker declared a personal interest in Item 10 'Capital Budget Proposals 2015/16' (Minute E.47/14 below refers) by virtue of being the local Ward Member for Dittisham and he remained in the meeting and took part in the debate but abstained from the vote on the relevant part of this recommendation;

Cllr Bastone declared a disclosable pecuniary interest in Item 7 Dartmouth Indoor Pool – Requirement for Financial Bond (Minute E.44/14 below refers) by virtue of having a liability for the bond on the old pool. He left the meeting for the duration of this item;

Cllr Bastone also declared a personal interest in Items 11 and 14 'Applications to designate Neighbourhood Plan areas for Dartmouth and Stoke Gabriel parishes' (Minute E.48/14 below refers) and 'Dartmouth Park and Ride Service Review' (Minute E.51/14 below refers) by virtue of being a local Ward Member and he remained in the meeting and took part in the discussion on each item but abstained from each vote.

E.43/14 **PUBLIC QUESTION TIME**

In accordance with Executive procedure rules, it was noted that public questions had been received from the Dartmouth Parking Group. The questions and responses were as follows:

Question 1: Dartmouth hopes to develop a Trust to manage Park & Ride but worry that key revenue streams, EG advertising, are quoted as areas you'd retain ownership of. How can we successfully relieve you of this overhead if not granted all the "tools" needed to run it as a going concern?

The Leader responded that in his view, everything should be 'on the table' and he would suggest that the Parking Group submit two bids to tender, one with advertising and one without.

Question 2: Could we seek confirmation that SHDC require to reduce their cost by £30,000 to secure the continued level of service for the park and ride and are happy to consider a partnership with DTC and BID to facilitate this?

The Leader confirmed that the Council did need to reduce its costs by £30,000 in the first year and by £50,000 in following years.

E.44/14 **DARTMOUTH INDOOR POOL – REQUIREMENT FOR FINANCIAL BOND**

Members were asked to consider a report that asked them to consider whether the council, at the request of Dartmouth and District Indoor Pool Trust (DDIPT), would be prepared to remove the requirement for a financial bond under the terms of the Building Licence Agreement to facilitate the construction of the indoor swimming pool.

The Leader introduced the report and advised that the bond was required in case the finances of the project did not add up. The Council could not be left with a half built pool and had to ensure protection was in place. However, he proposed an amendment to the recommendation (as outlined in the presented agenda report) in case the DDIPT could find another way of securing financial cover that may also be acceptable to the Council.

Cllr Saltern proposed a further amendment regarding consultation with the Leader that was accepted. During discussion, Members raised concerns over the running costs of the pool and the sustainability of the project. It was not possible to quantify the financial implications if the construction of the pool could not be completed. One Member asked if it was necessary to have such a large bond. Another Member stated that the Council could be very heavily criticised by the external auditors if the appropriate protection was not in place.

It was then:

RESOLVED:

That the request from DDIPT to waive the requirement for a Bond under the terms of the Building Licence Agreement was not accepted. However, in wanting to support this project, authority is delegated to the Head of Assets in consultation with the Leader, to consider and assess alternative options to a bond on the understanding there is no financial risk or liability to the Council in the event that the building project is unable to proceed to practical completion and handover to DDIPT.

E.45/14 **FUTURE OPERATING MODEL OPPORTUNITIES AND A REVISED T18 BUSINESS CASE**

Members were presented with a report that summarised the ongoing work in relation to the implementation of T18, in particular identifying additional savings and opportunities which had emerged during further detailed work on the future organisation design.

The Leader introduced the report and reminded Members that T18 would enable this council to continue to protect front line services despite the scale of the financial challenges to be faced over the next four years.

During discussion, the following points were raised:

- One Member welcomed the split of the Transformation Funding Award;
- One Member highlighted the loss of Revenue Support Grant by 2020 and the importance of the new 'Corporate Planning and Strategic Finance' role;
- Another Member welcomed the strategic finance role as it would drive forward creative thinking in the way that the council uses its resources;
- The Leader advised that locality working would be a service enhancement and it would be important to involve the county council and police working with locality officers;
- Members queried the difference in projected one off costs compared to the initial business case and the Executive Director confirmed that the difference had arisen as a result of redundancy and pension costs which, as Members had been advised on many occasions, were impossible to predict;
- One Member felt that the contingency of 5% going forward may not be sufficient;
- The s151 Officer was able to respond in detail to questions relating to one off costs and how the predicted annual savings would be used to offset those costs in the first year;
- In response to concerns over the increased investment costs, the Leader advised that the s151 Officer had the power to intervene if she had concerns. The s151 Officer confirmed that at this stage she was content that the business case was viable;
- One Member congratulated the council and West Devon Borough Council on taking the economic situation seriously and implementing a clear strategy to address the challenges;

- One Member wanted an assurance that members of staff would not be made redundant and then re-employed at a further cost to the council;
- The Executive Director (AR) confirmed that this programme was change on a massive scale and would take some time to develop and settle in and Members should therefore acknowledge that the business case would need to be kept under constant review. In addition, the senior management structure was not replicating the previous structure and roles as new skills were required to ensure that the council was fit for purpose for the future. In recognising the scale of change in roles and skills required by all staff a model of positive recruitment had been established;
- The Executive Director (TW) reiterated that the increase in programme costs were entirely due to the redundancy and pension costs which were originally based on losing 97 ftes but that had increased to 111 ftes. Taking account of the outcome of recent recruitment to phase 1a (Support Services), as well as reviewing the list of staff who had expressed an interest in voluntary redundancy, everything possible had been done to predict the future number of staff who may leave and this had resulted in the current figures. However, it was impossible to predict with absolute certainty because of the unpredictability of human behaviour.

It was then:

RESOLVED

That Council be **RECOMMENDED** to:

1. approve an updated investment budget of £4.61 million for the T18 Programme, to deliver annual recurring revenue savings of £3.37 million as shown in section 4.1;
2. finance the net cashflow requirement of £1.594 million in accordance with the Investment and Financing Strategy as shown in section 1.2 of Appendix D;
3. transfer £225,000 into an Earmarked Reserve for T18 as shown in Section 1.3 of Appendix D
4. delegate authority to the S151 Officer to determine the appropriate allocation of investment costs against revenue and capital funds including establishing a Strategic Change Earmarked Reserve as detailed in Section 4.8;
5. share the Transformation Challenge Funding award of £700,000 with West Devon Borough Council, based on the same ratio as the initial investment costs, resulting in £434,000 for South Hams District Council and £266,000 for West Devon Borough Council as detailed in Section 4.3;
6. approve the amended senior management structure as set out in the report;
7. approve the amended line management responsibility for the Commercial Services Group Manager.

E.46/14 REVENUE BUDGET PROPOSALS 2015/16

Members were presented with a report that updated them on the revenue budget position for 2015/16 and provided a framework for consultation with the Scrutiny Panels. The report and consultation process would help the Executive identify priorities, prepare the revenue budget and maximise the use of resources. The report also provided an updated forecast of the financial situation for the four year period to 2018/19. The forecast was intended to provide a framework within which decisions could be made regarding future service provision and council tax levels.

During discussion, the Leader advised that he was not expecting to debate the detail of the report at this meeting. Whilst the detail would be discussed during the next two months, it was noted that Members did need to come to a view on the support for the CAB before the budget was finalised.

The s151 Officer proceeded to respond to specific technical questions.

It was then:

RESOLVED

That the views be sought of the Scrutiny Panels on the budget issues contained within the draft Budget 2015/16 report.

E.47/14 CAPITAL BUDGET PROPOSALS 2015/16

Members were presented with a report that requested the views of the Scrutiny Panels on the Capital Programme proposals of £2,875,000 for 2015/16.

The Leader introduced the report.

During discussion, the following points were raised:

- The condition of coastal assets would get worse and the Council should carefully consider how much it should spend on assets that will be difficult to depend longer term. The Head of Assets responded that the focus was on preventative works;
- Whether the works on the Dartmouth Town Jetty would result in receipt of income. In response, the Head of Assets stated that this was the Jetty used by the Kingswear and Dartmouth Passenger Ferry and the current arrangements would be due for review shortly;

- One Member suggested increasing the contribution to affordable housing to 50% of the New Homes Bonus and to view this as a capital investment which would produce an income;
- Members recognised how hard officers had worked after the winter storms to successfully apply for funding to repair coastal damage;
- That surplus assets should be disposed of and this seemed to be taking some time;
- Points were raised in relation to disabled facilities grants and home improvement grants and whether the council was satisfied that the right amount would be received from the county council as part of the Better Care Fund. The Portfolio Holder for Environmental Health and Housing confirmed that the council was currently satisfied and that a Task and Finish Group was going to be looking at Disabled Facilities Grants in the New Year. The Executive Director confirmed that funding arrangements had changed and the county council had agreed that funds would be passed to the district council for the following year in respect of disabled facilities grants. In terms of home improvement grants there was an adopted policy and officers were aware of the need to drive efficiencies. Reference was also made to the mix of grants and loans that were available.

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 the views be sought of the Scrutiny Panels on the Capital Programme Proposals for 2015/16. The Capital Programme Proposals total £2,875,000, being £1,755,000 (bids set out in Appendix A to the presented agenda report) and £1,120,000 (further bids set out in Appendix C to the presented agenda report).

- 2 That the disposal of The Levels car park at Dittisham to Dittisham Parish Council be approved (as set out in Appendix B of the presented agenda report), with other terms and conditions to be agreed by the Head of Assets
- 3 That Council be **RECOMMENDED** that the approval for the purchase of vehicle fleet be delegated to the Head of Paid Service and Head of Environmental Services, in consultation with the Leader and Deputy Leader once the final evaluation of tenders has taken place, with consultation also taking place with the S151 Officer regarding the funding of the proposal (as per Section 2.6 of the presented agenda report).

E.48/14

APPLICATIONS TO DESIGNATE NEIGHBOURHOOD PLAN AREAS FOR DARTMOUTH AND STOKE GABRIEL PARISHES

Members were presented with a report that advised that Dartmouth Town Council and Stoke Gabriel Parish Council had submitted applications to the council to designate Neighbourhood Plan areas in their parishes. The applications had been advertised for a six week period, during which comments had been invited about whether the two proposed plan areas were appropriate.

The Executive Portfolio Holder for Planning, Economy and Community introduced the report and drew Members attention to the key elements. One Member asked if the amount of officer time taken to process these applications had been quantified. In response, the Executive Portfolio Holder stated that there were limited resources but the activity had to happen and officers did all they could to minimise the impact.

In response to another question, the Strategic Planning Manager confirmed that there were various points at which groups could apply for funding.

It was then:

RESOLVED

1. That the designation of Dartmouth and Stoke Gabriel parish boundaries for the purposes of preparing their respective Neighbourhood Plans be approved; and
2. That a bid for central government funding to help cover the costs associated with preparing the neighbourhood Plans be supported.

E.49/14 **APPROVAL OF NEIGHBOURHOOD PLAN AREAS**

Members considered a report that sought to amend the Neighbourhood Plan Process.

The Executive Portfolio Holder introduced the report and a number of Members welcomed this approach. One Member asked that Members be notified in advance of any changes to the Neighbourhood Planning Protocol.

It was then:

RESOLVED

1. That the authority to approve the designation of Neighbourhood Plan areas be delegated to the Head of Planning, Economy and Community in consultation with the Planning, Economy and Community Portfolio Holder and the appropriate local ward member(s);
2. Subject to approval of recommendation 1 above, that the appropriate changes be made to the Council's Neighbourhood Planning Protocol (as set out in the Appendix to the presented agenda report) to reflect this change, be agreed; and
3. That the authority to amend the Neighbourhood Planning Protocol to reflect any future changes to the Neighbourhood Planning Regulations be delegated to the Head of Planning, Economy and Community in consultation with the Planning, Economy and Community Portfolio Holder be agreed.

E.50/14 **OUR PLAN – REVISED LOCAL DEVELOPMENT SCHEME**

Members considered a report that sought formal approval of a revised Local Development Scheme for the preparation of Our Plan. The timetable had been revised to take into account additional work required on Objectively Assessed Need and Duty to Cooperate work with Plymouth both of which were critical to the soundness of the plan.

It was then:

RESOLVED

1. That the revised Local Development Scheme be approved; and
2. That Council be **RECOMMENDED** to source the additional £30,000 as set out in paragraph 4.2 of the presented agenda report from the Planning Policy and Major Developments Earmarked Reserve.

E.51/14

DARTMOUTH PARK AND RIDE SERVICE REVIEW

Members considered a report that explored the future options for the Park & Ride service in Dartmouth, as the current contract for bus provision would end in early 2015. It also considered the longer term options for the service. The report summarised the views and debate of the various local consultees who have been involved in the preparation for the service options.

The Executive Portfolio Holder for Environment Services introduced the report. A local Ward Member advised that the contentious element was the proposed £100 charge for the Park & Ride permits. He went on to say that he was aware that the existing scheme had been abused. Organisations were working hard to find a solution and the town would benefit from ownership of the Park & Ride in due course. The Executive Portfolio Holder agreed that the Dartmouth Parking Group were working hard in this regard. Another Member stated that the original proposal to reduce the operating hours of the Park & Ride would have a devastating affect on the town.

One Member queried whether residents in the surrounding villages would continue to use the Park & Ride at a cost of £100 per annum. If the service had cost the council money, then it was money well spent towards making Dartmouth a viable hub.

Members discussed car parking charges and compared prices across the market towns. One Member stated that the Park & Ride should be supported as it encouraged behaviour change. She also suggested that a payment scheme to enable the permits to be paid for in instalments would be helpful as £100 was a lot of money at one time.

Finally, a Ward Member stated that these proposals did not stop the Park & Ride from operating but instead gave local people an opportunity to respond with local solutions.

It was then:

RESOLVED

That Council be **RECOMMENDED**:

1. That a tendering exercise be undertaken in respect of the provision of a Park & Ride service for 2015, with input from Dartmouth Town Council, BID and Business Forum;
2. That tenderers be requested to provide a quote for each of the three service options as attached at Appendix 1 of the presented agenda report. In addition, tenderers would be given the opportunity to propose alternative solutions to give additional value to the service; and

3. To amend the Residents Car Parking scheme which currently allows permit holders to use the Park & Ride service free of charge and, instead, for Dartmouth Park & Ride permits to be available at a cost of £100 per annum.
4. To provide the extended Dartmouth Regatta Park & Ride service from the rugby fields located next to the Park & Ride site from 2015, rather than from Venn Lane fields, in order to make further financial savings, as detailed in Appendix 2 of the presented report.

E.52/14 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 – 6 November 2014**
- b) **Economy and Environment Scrutiny Panel – 13 November 2014**

EE.26/14 FEES AND CHARGES 2015/16

Members had a discussion on this item and it was suggested that a Task and Finish Group be set up to look into the fees and charges of the Dartmouth Lower Ferry.

RESOLVED

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

1. the introduction of a charge of £75 from 18 December 2014 for the site owners of mobile homes for the depositing, variation and deletion of site rules be approved, with an annual review thereafter;
2. the proposed fees and charges set out in the presented report be approved as part of the budget setting process for 2015/16; and
3. a letter be sent on behalf of the Council to Westminster Council in support of their legal appeal relating to charging for licensing enforcement activities.

c) **Corporate Performance and Resources Scrutiny Panel –
20 November 2014**

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTE E.45/14, E.47/14 (part 3), E.50/14 (part 2), E.51/14 and E.52/14(b) WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 18 DECEMBER 2014, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 22 DECEMBER 2014 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.25 pm)

Chairman