

## SOUTH HAMS COUNCIL



**Minutes** of a meeting of the **South Hams Council** held on  
**Thursday, 23rd May, 2024 at 10.00 am** at the **Council Chamber - Follaton House**

Present:           **Councillors:**

***Chairman*** Cllr Pannell  
***Vice Chairman*** Cllr Taylor

Cllr Abbott	Cllr Allen
Cllr Bonham	Cllr Brazil
Cllr Carson	Cllr Cooper
Cllr Dewynter	Cllr Dommett
Cllr Hawkins	Cllr Hodgson
Cllr Hopwood	Cllr Jackson
Cllr Lawford	Cllr Long
Cllr McKay	Cllr Munoz
Cllr Nix	Cllr O'Callaghan
Cllr Oram	Cllr Penfold
Cllr Presswell	Cllr Rake
Cllr Steele	Cllr Thomas

**In attendance:**

Councillors:  
Cllr Edie ( via Teams)

Officers:  
Chief Executive  
Deputy Chief Executive  
Director Place & Enterprise  
Section 151 Officer  
Monitoring Officer  
Head of Democratic Services  
Assistant Director Strategy

Also in Attendance Alderman John  
Tucker

1. **Moment's Reflection**

01/24

The Chairman welcomed all in attendance and informed that this was the first formal Member meeting since former Councillors Ian Blackler and Judy Westacott MBE had sadly passed away. In paying tribute to both, the Chairman reflected on their tireless service to their respective communities and their work for local charities.

As a mark of respect, the Council proceeded to stand and observe a moment's silence in their memory.

2. **South Hams Community Awards Presentation**

02/24

The Chairman highlighted the success of the inaugural South Hams Community Awards and congratulated all of those individuals and Community Groups who had been nominated.

In recognition for their fantastic work to support communities across the South Hams District, the Chairman presented the following awards to the worthy winners:

- Organisation Award (joint winners): *'Dementia-Friendly Parishes Around the Yealm'* and *'Kingsbridge Foodbank'*;
- Community Champion Award (joint winners): Robin Cox and Peter Davis; and
- Young Persons Award (for under 18s): Kieran Grills.

3. **Election of the Chairman of the Council;**

03/24

Having sought nominations for the role of Chairman of the Council, it was then:

**RESOLVED**

That Cllr B Taylor be elected Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2025.

Cllr Taylor subsequently declared and signed his acceptance of office.

4. **Address by the New Chairman of Council**

04/24

During his address, Cllr Taylor made specific reference to:-

- his honour at being elected as Chairman of the Council and his wish to put on record his particular thanks to Cllr Pannell for the manner in which he had chaired the Council during the 2023/24 Municipal Year;

- his gratitude to all Members of the Council for their unanimous support following his nomination to the role of Chairman of the Council;
- his hope that the Council would continue to work together (irrespective of party politics) to specifically deliver upon the corporate priorities relating to affordable housing and climate change and biodiversity;
- his wish to welcome Alderman John Tucker and past Councillors Mr Richard Foss and Mrs Rosemary Rowe to this meeting of Annual Council;
- the unwavering support provided by his wife; and
- his chosen charities for his year of office being the British Diabetic Association and the British Heart Foundation.

**(a) Cryptosporidium Update**

At his discretion, the Chairman invited the lead Executive Member and a local Ward Member to provide an update to the meeting on the recent Cryptosporidium outbreak at Brixham, Kingswear and surrounding areas.

In so doing, the Members made particular reference to:

- their concern for residents who had been so unwell and had been so poorly treated by South West Water. Both Members were of the view that affected residents should have been better compensated following the outbreak;
- the response to the outbreak having been supported by the Council's Environmental Health team and lead officers were thanked accordingly; and
- the need for an independent investigation to be carried out into how the outbreak had started and how South West Water had responded.

**5. Vote of thanks to the Retiring Chairman**

05/24

In proposing and seconding the vote of thanks to the retiring Chairman, particular reference was made to the manner in which he had chaired Council meetings. During his year of office, the retiring Chairman had demonstrated impartiality and a huge desire to be inclusive of all Members. In addition, the view was expressed that Cllr Pannell had represented the Council with much credit and emphasis was given to the enjoyable events that he had hosted.

It was then:

**RESOLVED**

That the thanks of the Council be extended to Cllr Pannell for the manner in which he had performed his duties during his term of office as Chairman of the Council.

6. **Response by the Retiring Chairman**

06/24

At the invitation of the meeting, the retiring Chairman thanked Members for their kind comments and provided an overview of what the role of the Chairman entailed, highlighting the events that he undertaken in the role over the preceding six weeks.

In closing his address, Cllr Pannell made reference to having raised in the region of £2,000 for his chosen charity, the RNLI Dartmouth Boat Station appeal and he proceeded to thank Members and Officers for their support in this regard.

7. **Appointment of the Vice Chairman of the Council**

07/24

**RESOLVED**

That Cllr G Pannell be appointed Vice Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2025.

Cllr Pannell subsequently declared and signed his acceptance of office.

8. **Minutes**

08/24

The minutes of the meeting of Council held on 21 March 2024 were confirmed as a correct record.

9. **Declarations of Interest**

09/24

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but there were none made.

10. **Annual Statement from the Leader of Council**

10/24

In providing his annual statement, the Leader made particular reference to:

- his pride at the success of the first year of the new Council administration. Further, the Leader wished to thank all of the non-Liberal Democrat Group Members for embracing his vision of a co-operative approach for the Council and he cited the Freeport and the Dartmouth Park and Ride projects as being excellent examples of this approach;
- the South Hams being a wonderful place in which to live and work;
- the hard work now beginning following the recent adoption of the Council Plan; and
- his recruitment of an additional (ninth) Executive Member. In so doing, the Leader advised that, with effect from today, he had appointed Cllr Dommett to serve on the Executive and she would initially be leading on two projects:

the installation of Solar Photo Voltaic panels on Council Leisure Centres and supporting Cllr McKay on the delivery of local food and produce.

11. **Representation on Political Groups**

11/24

The Chairman advised Members that a review of the representation of the political groups on the Council's Bodies had been carried out in consultation with the Leaders of the three Political Groups.

It was then:

**RESOLVED**

1. That it be noted that the Political Composition of the Council is as follows:-
  - A Liberal Democrat Group of 19 Members;
  - A Conservative Group of 7 Members;
  - A Green Party Group of 3 Members;
  - A Labour Party Member; and
  - An Independent Member; and
2. That the overall political balance of Council Bodies, as reflected in the paper tabled to the meeting, be approved.

12. **Appointment of Members (and Substitute Members) of the Bodies of the Council**

12/24

The Council subsequently received nominations from the Group Leaders and Independent Members for the membership of the Bodies of the Council.

It was then:

**RESOLVED**

That, for the 2024/25 Municipal Year, Members be appointed to the Bodies of the Council as set out in Appendix A to these minutes.

13. **Election of Chairman and Vice-Chairman of those Bodies of the Council**

13/24

The Council received nominations from its Group Leaders for the positions of Chairmen and Vice Chairmen of the Bodies of the Council.

It was then:

**RESOLVED**

That the Chairmen and Vice Chairmen of the Bodies of the Council for the 2024/25 Municipal Year be as indicated below:-

<b>Body</b>	<b>Chairman</b>	<b>Vice Chairman</b>
Audit & Governance Committee	Cllr Bonham	Cllr Nix
Council Tax Setting Committee	Cllr Brazil	
Development Management Committee	Cllr Long	Cllr Taylor
Licensing Committee	Cllr Rake	Cllr Penfold
Overview and Scrutiny Committee	Cllr Hawkins	Cllr Cooper

14. **Appointment of Governance Boards / Panels**

14/24

Members proceeded to consider the appointment for the 2024/25 Municipal Year of the:-

- a) Armed Forces Covenant Champion;
- b) Devon Building Control Partnership;
- c) Director – Plymouth & South Devon Freeport;
- d) Joint SH/WD/Plymouth Local Plan Partnership Board;
- e) Member Development Steering Group;
- f) Rate Relief Panel;
- g) Slapton Line Steering Group;
- h) South Devon National Landscapes Partnership Committee; and
- i) Tamar Valley National Landscapes Partnership Committee.

It was then:

**RESOLVED**

That the number, size and appointment of the Governance Boards / Panels of the Council for the 2024/25 Municipal Year be approved, as shown in Appendix B to these minutes.

15. **Appointment of Representatives on Outside Bodies**

15/24

A paper was considered that set out details of those Outside Bodies to which the Council appointed representatives and included a list of nominations for representation on these Outside Bodies.

In discussion, the importance of appointed representatives providing regular feedback to the wider membership was emphasised and it was felt that the Overview and Scrutiny Committee could have a role to play in reviewing the list of Outside Bodies to which the Council annually appoints.

It was then:

**RESOLVED**

1. That the Council be represented on the list of Outside Bodies as presented to the meeting;
2. That the Members named in Appendix C to these minutes be appointed as the Council's representatives to those Bodies for the 2024/25 Municipal Year, and that, for the purposes of Members' Allowances, attendance at meetings of these bodies be regarded as an approved duty; and

That Members appointed to Outside Bodies provide a written report following each meeting; regular feedback and consultation on the issues affecting the Bodies concerned

16. **Appointment of Independent Persons - Standards Function and Audit & Governance Committee**

16/24

The Council considered a report that sought approval for the appointment, until the next annual meeting, of five persons as Independent Persons to assist in the discharge of the Council's arrangements for dealing with standards complaints.

The report also sought approval for authority to be delegated to the Section 151 Officer, in consultation with the Chairman and Vice-Chairman of the Audit & Governance Committee, to appoint the 'Independent Person' to serve on the Audit & Governance Committee.

It was then:

## **RESOLVED**

1. That the following persons be appointed as Independent Persons for the remainder of the 2023/27 Council administration:
  - George Barnicott
  - Peter Boreham
  - Martin Gleed
  - Trevor Kirkin
  - Victoria Spence; and
2. That authority be delegated to the Section 151 Officer, in consultation with the Chairman and Vice-Chairman of the Audit & Governance Committee, to appoint the 'Independent Person' to serve on the Audit & Governance Committee for the remainder of the 2023/27 Council term.

## **17. Constitution Update**

17/24

The Council gave consideration to a report that presented the Council Constitution and the changes made to it by the Monitoring Officer under delegated powers. The changes were set out in Appendix A of the presented report.

In discussion, some minor typographical amendments were highlighted for incorporation and the Monitoring Officer committed to making these changes and ensuring that the updated version was publicly available on the Council website within the next few weeks.

It was then:

## **RESOLVED**

1. That a co-opted independent member to the Audit and Governance Committee be appointed;
2. That the proposed changes to the Council's Constitution as set out in Appendix A of the presented report be approved;
3. That the Constitution as amended be adopted; and
4. That the Monitoring Officer will report further to the Audit and Governance Committee and/or Council on changes to the Contract Procedure Rules required due to the implementation of the Procurement Act 2023 in October 2024.



18. **Reports of Bodies**

18/24

**RESOLVED**

That the minutes and recommendations of the undermentioned bodies be received and approved subject to any amendments listed below:-

**(a) Development Management Committee - 13 March 2024**

**(b) Overview & Scrutiny Committee - 14 March 2024**

**(c) Audit & Governance Committee - 21 March 2024**

With regard to recommendation AG.40/23 (2024/25 Capital Strategy, 2024/25 Treasury Management Strategy And 2024/25 Investment Strategy), it was noted that this item had already been considered at the Council Meeting held on 21 March 2024 (Minute 58/23 refers).

**(d) Audit & Governance Committee - 28 March 2024**

**(e) Development Management Committee - 10 April 2024**

**(f) Executive - 18 April 2024**

The Meeting concluded at 11.20 am

Signed by:

Chairman

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## Membership of Council Bodies 2024/25

## Appendix A

### a) Audit & Governance Committee

Cllr L Bonham	Cllr C Oram
Cllr S Dennis	Cllr A Presswell
Cllr D Hancock	Cllr S Rake
Cllr A Nix	Cllr G Yardy

#### Substitutes:

Cllrs Abbott, Allen, Birch, Brazil, Carson, Cooper, Dewynter, Dommett, Edie, Hawkins, Hodgson, Hopwood, Jackson, Lawford, Long, McKay, Munoz, O'Callaghan, Pannell, Penfold, Steele, Taylor and Thomas

### b) Development Management Committee

Cllr V Abbott	Cllr M Long
Cllr G Allen	Cllr A Nix
Cllr L Bonham	Cllr C Oram
Cllr J Carson	Cllr G Pannell
Cllr N Dommett	Cllr S Rake
Cllr J Hodgson	Cllr B Taylor

#### Substitutes:

Cllrs Birch, Cooper, Dennis, Dewynter, Edie, Hancock, Hawkins, Hopwood, Jackson, Lawford, McKay, Munoz, O'Callaghan, Penfold, Presswell, Steele and Yardy

### c) Licensing Committee

Cllr V Abbott	Cllr G Pannell
Cllr G Allen	Cllr S Penfold
Cllr J Carson	Cllr A Presswell
Cllr N Dommett	Cllr S Rake
Cllr C Oram	Cllr D Thomas

#### Substitutes:

Cllrs Birch, Bonham, Brazil, Cooper, Dennis, Dewynter, Edie, Hancock, Hawkins, Hodgson, Hopwood, Jackson, Lawford, Long, McKay, Munoz, O'Callaghan, Nix, Steele, Taylor and Yardy

### d) Overview & Scrutiny Committee

Cllr B Cooper	Cllr J Hawkins	Cllr C Oram
Cllr S Dennis	Cllr S Jackson	Cllr S Penfold
Cllr A Dewynter	Cllr L Lawford	Cllr A Presswell
Cllr T Edie	Cllr P Munoz	Cllr M Steele

#### Substitutes:

Cllrs Allen, Bonham, Carson, Hancock, Long, Nix, Pannell, Rake, Taylor and Yardy

### e) Council Tax Setting Committee

Cllr J Birch  
Cllr J Brazil  
Cllr M Long  
Cllr D Thomas

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## Appointment of Governance Boards / Panels 2024/25 Appendix B

- (a) **Armed Forces Covenant Champion**  
Cllr A Dewynter
- (b) **Devon Building Control Partnership**  
Cllr J Birch  
Cllr J McKay
- (c) **Director – Plymouth & South Devon Freeport**  
Cllr J Birch
- (d) **Joint SH/WD/Plymouth Local Plan Partnership Board**  
Cllr J Brazil  
Cllr D Thomas
- (e) **Member Development Steering Group**  
Cllr G Allen  
Cllr N Hopwood  
Cllr A Nix  
Cllr C Oram  
Cllr A Presswell  
Cllr D Thomas
- (f) **Rate Relief Panel**  
Cllr J Birch  
Cllr N Hopwood  
Cllr G Yardy
- (g) **Slapton Line Steering Group**  
Cllr J Hawkins  
Cllr L Lawford
- (h) **South Devon National Landscapes Partnership Committee**  
Cllr G Allen  
Cllr J McKay
- (i) **Tamar Valley National Landscapes Partnership Committee**  
Cllr C Oram

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## Representation on Outside Bodies 2024/25

## Appendix C

ORGANISATION	Nominee(s)
1. Dartmoor National Park Authority	Cllr G Pannell
2. Devon Audit Partnership Committee of the Audit Committee	Chairman and Vice-Chairman
3. Devon Authorities Strategic Waste Committee	Cllr J Brazil (Substitute: Cllr J Hodgson)
4. Devon County Locality Committee <i>(Note: this Committee was abolished at the Devon County Council Annual Meeting held on 23 May 2024)</i>	Cllrs J Birch and D O'Callaghan
5. Devon County/South Hams Highways and Traffic Orders Committee	Cllrs J Birch and D O'Callaghan
6. Devon Districts Forum	Leader of Council
7. Governance Board (South Devon Healthcare NHS Foundation Trust)	Cllr G Yardy
8. Heart of the South West Devolution Joint Committee	Cllr J Brazil (Substitute: D Thomas)
9. Hope Harbour Commissioners	Cllr M Long
10. Joint Advisory Committee (JAC) on Housing for Local Needs in the Dartmoor National Park	Cllrs A Dewynter and G Pannell
11. Local Government Association:- (i) District Council Network – Leader or Deputy Leader of Council (ii) General Assembly – Leader or Deputy Leader of Council (iii) South West Branch – Leader or Deputy Leader of Council (iv) Rural Commission – Leader or Deputy Leader of Council (v) LGA Committee, Panel, etc appointments (NB: These appointments are made via an Electoral College process through the LGA. Council has been given delegated authority to the Monitoring Officer, in consultation with the Leaders of the political groups, to agree any such appointments).	
12. PATROL – Parking and Traffic Regulations Outside London	Cllr G Pannell
13. Police & Crime Commissioners Scrutiny Panel	Cllr D Thomas
14. River Yealm Harbour Authority	Cllr T Edie
15. South Devon and Dartmoor Community Safety Partnership	Cllr S Rake

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|-----|---|-------------------------------------|
| 16. | South West Councils                     | Leader and Deputy Leader of Council |
| 17. | SPARSE Rural and Rural Services Network | Cllr J McKay                        |