

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 4 MARCH 2010**

MEMBERS

* Cllr R J Tucker - Chairman

* Cllr P W Hitchins - Vice-Chairman

* Cllr H D Bastone

* Cllr B E Carson

* Cllr J D Hawkins

* Cllr M J Hicks

* Cllr M J Howarth

* Cllr M F Saltern

* Denotes attendance

Also in attendance and participating:

Cllrs K J Baldry, J I G Blackler, R J Carter, G J Fielden, J T Pennington, R Rowe
and J W Squire

Also in attendance but not participating:

Cllrs R D Gilbert, R C Steer and M Stone

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community), Strategic
Director (Resources) and Senior Member Support Officer;
Item 8 (minute E.102/09 below refers): Landscape and Recreation Manager; and
Items 11, 12 and 13 (minutes E.105/09, E.106/09 and E.107/09 below refer):
Head of Financial Services.

E.96/09 MINUTES

The minutes of the meeting of the Executive held on 21 January 2010 were confirmed as a correct record and signed by the Chairman.

E.97/09 MEMBERS IN ATTENDANCE

It was noted that the following Members were in attendance and participated during the discussion on the under-mentioned items:-

Item 3 (minute E.98/09 below refers) – Cllr Rowe;

Item 7 (minute E.101/09 below refers) – Cllrs Baldry, Fielden,
Pennington and Rowe;

Item 8 (minute E.102/09 below refers) – Cllrs Blackler, Fielden and
Squire;

Item 9 (minute E.103/09 below refers) – Cllr Carter;

Item 10 (minute E.104/09 below refers) – Cllrs Baldry, Pennington and
Rowe; and

Item 11 (minute E.105/09 below refers) – Cllrs Baldry, Pennington and
Squire.

E.98/09 URGENT BUSINESS

The Chairman advised that he had agreed for one item of urgent business to be raised at this meeting, being the minutes of the Environment Policy Development Group meeting held on 25 February 2010. The item was considered to be urgent as the minutes contained some recommendations that were date constrained.

RESOLVED

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

a) EPDG.21/09 EFFICIENCY THROUGH SUSTAINABILITY – NEW SUSTAINABILITY POLICY FRAMEWORK AND CLIMATE CHANGE ACTION PLAN 2010 - 2012**RESOLVED**

1. That the new climate change action plan 2010 – 2012 be approved and adopted, subject to the rewording of the Pension Scheme Action with the additional statement, 'subject to an assessment of risk and levels of return'; and
2. That the Sustainability Policy Framework be approved and adopted.

b) EPDG.22/09 PLYMOUTH GREEN INFRASTRUCTURE PLAN**RESOLVED**

That the Plymouth Green Infrastructure Plan be adopted subject to delegated authority being given to the Strategic Director (Community) and the Lead Executive Member to accommodate amendments that might be generated by;

1. The introduction of final mapping and information to the plan;
and
2. The views of Plymouth City Council and other plan partners as they move towards the adoption of the plan.

c) EPDG.24/09 SEAWEED ON BEACHES**RESOLVED**

That subject to the inclusion of the amendment, whereby officers investigate a self financing solution to clearing the seaweed when detrimental to the local amenities, the policy be adopted.

E.99/09 DECLARATIONS OF INTEREST

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

E.100/09 PUBLIC QUESTION TIME

In accordance with Executive procedure rules, it was noted that one public question had been received as follows:

Question received from Stephen Hitch:

'There is enormous support amongst the Ivybridge community, for the Swimming Pool proposals at the Leisure Centre, and as the architect of this scheme, I am constantly being asked about the progress and likely timescales. Please could you furnish me with the answers.'

In response, the Lead Executive Member for Asset Management advised that the Council approved its capital programme up to 2012 at its meeting on 4 February 2010. This included the provision of £1m towards the replacement of both pools at Ivybridge. Officers had worked closely with Mr Hitch to investigate a design and build option to replace the pools and initial indications confirm that the project could be completed for around £2m. Officers, in partnership with Tone Leisure, were developing a business case for raising additional capital funds as there was likely to be a shortfall in capital funding. If the gap was too big then officers would approach the Town Council and other groups for funding. The anticipated timeframe was to complete the financial assessment by April 2010, the fund-raising by August 2011, the Tender for design and build by October 2011 and start on site January 2012.

In reply to a supplementary question from Mr Hitch, in which he stated that Tone Leisure had prepared the business case but two previously scheduled meetings with the Council to discuss it had been cancelled at the last minute, the Lead Executive Member advised that he could understand the frustration that this had caused.

The Property Services section was a small section which was currently experiencing capacity difficulties. The Strategic Director (Community) added that he had been unaware of the meetings being cancelled and he would investigate. The Leader advised that the Strategic Director (Community) would report back to Mr Hitch with his subsequent findings.

E.101/09 SHARED SERVICES

Members considered a report which sought to obtain authority to implement the actions agreed by the large number of Members of both Authorities who attended the workshop on 12 February 2010 and recommended for approval by the Shared Services Joint Steering Group (JSG) at their meeting on 15 February 2010. Members also received the minutes of the Shared Services Joint Steering Group on 15 February 2010 and were invited to raise any comments on their contents.

During the discussion, the following points were raised:

- Clarity was sought on the minute relating to Landscape and Leisure. The Strategic Director (Community) advised that a Landscape and Leisure Service did not exist as a service grouping at West Devon so sharing the service was not straightforward but there were possibilities to be considered. An example of difference is that in West Devon the tourism activity is located within the economic development service. Furthermore some areas of current activity within the service may be more appropriately located in other service areas, for example children and young people's issues had broadened from the Council's initial focus on play to a wider range of corporate issues.
- A Member asked for an update on the shared Legal service. The Chief Executive responded that Members were all aware that a three way partnership would be appropriate and one partner could be the Dartmoor National Park Authority (DNPA). At the moment our preferred partner was not willing to proceed however work was ongoing with them in terms of joint Standards Committee matters. A number of local authority legal partnerships were now in existence and officers were investigating their business models;
- A number of Members expressed their support for continuing with the shared services programme, and felt that those Members who previously had not been in favour of shared services now appeared to support the programme. Concern was raised over Members who did not attend the workshops or complete their forms, however the Chairman advised that those Members who were still not in favour had made their views known;
- In terms of the workshops, a Member felt that the latest event had been positive and there was much more a sense of unity.

It was then:

RESOLVED that:-

- (i) two new Heads of Service roles be established from 1 April 2010, namely:
 - Head of Strategic Planning & Economy; and
 - Head of Housing & Community Delivery.

and it be noted that the Joint Management Team (JMT) intend to appoint Lee Bray and Marion Playle respectively to these roles following invitation to apply for the position and the proposals they have produced which have been endorsed by the Shared Services JSG;
- (ii) a shared Legal Service be agreed between the two Councils with authority granted to the JMT to implement and the Chief Executive be instructed to seek future partners;
- (iii) integration of Waste and Street Scene Services continues in accordance with the proposals put to the meetings referred to above;
- (iv) a shared Media team be agreed with authority granted to the JMT to implement;
- (v) the approach recommended by the Shared Services JSG in relation to Property Services, ICT, Finance, Development Management and Landscape & Leisure be endorsed with reports to be presented to the March meeting of that Group.

E.102/09

LANGAGE SECTION 106 AGREEMENT – PILOT LANGAGE LANDSCAPE FUND GRANT ARRANGEMENTS

Consideration was given to a report which sought approval from Members for continuing the pilot grant award process to deliver projects under this fund with a number of identified land management partners, in particular the Woodland Trust.

The Lead Executive Member introduced the report and advised that this initiative was not just concerned with planting but also other landscape improvements. He also requested that the recommendation number 2 be amended to include the Lead Executive Member in the consultation.

The Landscape and Recreation Manager advised Members that the feedback referred to in paragraph 22 of the report was that Centrica were generally supportive of the plan, and had merely sought clarification on details of sites.

During discussion, the following points were made:

- A Member asked about continuing with the Woodland Trust in view of outcomes falling short of targets in the first year. In response the Landscape and Recreation Manager advised that the project start –up had taken time however the availability of the funding was over a 25 year timescale and the aims were in accordance with the s106 agreement. Setting a figure on the number of trees planted was a helpful target, however it was also important that schemes brought forward were of good quality;
- A Member asked how rigorously the Council monitored the Woodland Trust. The Landscape and Recreation Manager advised that monthly meetings were held and the Council, the Woodland Trust and Natural England reviewed the sites prior to agreement.

At the end of the year, the Woodland Trust was required to send in all their financial information and account for what has been spent. Any monies not spent were returned;

- In response to a question on how land was selected, the Landscape and Recreation Manager advised that there is a need for a willing landowner and for the previous year momentum and therefore publicity was important so a number of schemes within the wider visual envelope of the power station were brought forward. The proposal for next year was to encourage schemes that are more local to the power station;
- A Member advised that it was important to have control as this was a significant amount of money. There was further discussion over the financing of the project and the Landscape and Recreation Manager advised that in the first year all administration and management costs had been met by the Woodland Trust. For the next year however they would like to be able to use some of the grant to employ a local project officer to provide additional capacity to accelerate the progress of the project. In terms of funding, the Woodland Trust was very successful nationally and was able to attract major funding. In terms of what the landowner would get in return for planting on his land, the Woodland Trust would cover the cost of planting and the additional funding that could be attracted from, for example the Forestry Commission, could be used to provide an annual contribution to the landowner;
- In response to a question about recreation areas, the Landscape and Recreation Manager advised that this scheme did not require access to the sites to secure grant.

It was then:

RESOLVED:

1. That the progress to date on the pilot Langage landscape fund grant undertaken in conjunction with the Woodland Trust be warmly welcomed;
2. That the additional expenditure from the landscape fund of up to £200,000 over and above the £250,000 already allocated be approved and authority be delegated to the Strategic Director (Community), in consultation with the Leader of the Council and the Lead Executive Member, to enter into a formal agreement; and
3. That officers be instructed to investigate options for establishing a company limited by guarantee to deliver the objectives of the fund.

E.103/09 BEACH AND WATER SAFETY – HOPE COVE

A report was considered which had been raised as a direct response to an offer from the RNLI to provide a beach lifeguard service at Hope Cove Outer for a second consecutive year. It outlined the issues surrounding beach safety at Hope Cove and proposed a way forward.

The Lead Executive Member introduced the report and reminded Members of the background. A local Ward Member stated that he was not surprised that this report was being presented, and his concern was that there was no commitment from the RNLI in relation to the number of years that they would provide the free service.

Following this discussion it was agreed that the draft letter to the MCA (presented as appendix 4 to the report), be amended to request that the free service be provided for the medium term.

It was then:

RESOLVED

- a. That the RNLI's offer to provide a free beach lifeguard service at Hope Cove Outer, subject to a commitment from the RNLI that a free service is sustainable in the medium term and that such provision will enhance the overall level of beach safety be accepted; and
- b. That a response be drawn up to the MCA consultation on the future of the MCA rescue boat by not supporting the removal of the boat from Hope Cove.

E.104/09 COUNCIL CHAMBER – FACILITIES UPGRADE

A report was considered which sought approval to undertake installation works in order to upgrade the current Audio Visual system in the Council Chamber.

The Lead Executive Member introduced the report and advised that the driver had been to improve customer service, particularly in terms of presentations at the Development Control Committee meetings. He added that in terms of timing, it would be appropriate to have new systems in place in time for April 2010, when the Development Control service rolled out its new way of working as a result of the Vanguard review.

During the discussion a number of Members agreed that the current systems were no longer appropriate, and also felt that the audio equipment needed to be upgraded. Members also asked if the air conditioning system could be investigated.

It was also felt that the furniture may need to be replaced, particularly if the plan was to be able to split the room and achieve a greater income from being able to rent out the spaces for meetings. This would allow a more efficient use of the asset. In terms of the figures quoted, the Strategic Director (Community) did advise that the figures were only estimates at this stage but did include the cost of licences for IT software. He also advised that some of the other changes suggested by members would be considered but may not all be able to be funded within the budget available.

An Executive Member asked if, instead of a recurring revenue cost, that an annual sum be set aside from the Housing and Planning Delivery Grant that would cover the future year's maintenance and licensing costs. Members agreed and asked that this be included as an additional recommendation.

It was then:

RESOLVED

- (i) That approval be given to the allocation of up to £30,000 from the Housing and Planning Delivery Grant, in addition to a recurring revenue cost of up to £5,000 per year to also be funded from the Housing and Planning Delivery Grant, for the installation of an Audio Visual system upgrade in the Council Chamber;
- (ii) That delegated authority be given to the Strategic Director (Community), in consultation with the Head of ICT, the Head of Property Services and the lead Executive Member for Value for Money to determine the final arrangements in order to deliver this upgrade.

E.105/09 REVENUE BUDGET MONITORING 2009/10

A report was considered which enabled Members to monitor income and expenditure variations against the approved budget for 2009/10. Effective budgetary control was essential to ensure priorities were delivered in accordance with plans and was directly linked to Corporate Priority 6 – the improvement of core service performance in a cost effective way.

The Lead Executive Member for Financial Affairs introduced the report and raised concerns over the projected figures for car parking to the end of the year. In response, the Strategic Director (Resources) stated that officers were confident in their projection as it was broadly in line with the pattern of previous years.

As the discussion continued, the following points were made:

- During the year 2010/11, the Council had lost £200,000 from its Concessionary Bus Travel Grant;
- Whilst some Members were not happy with charging parishes in relation to play areas, a number of parishes had accepted the charge of £100 and, in fact, felt it was good value;
- Building Control income was a concern as this should follow the pattern of Planning income and, therefore, would continue to be below target for some time. The Lead Executive Member, in conjunction with the Strategic Director (Community), was looking for opportunities for further savings in this area;
- A Member asked, in relation to Planning income being below target, at what point the Executive would look at the spend of the Planning service. In response the Lead Executive Member for Planning advised that the Executive had monitored the Planning service over the last twelve months and as a result had identified a further £30,000 saving (on top of the £30,000 saving offered by the service), that could be achieved through joint working with the Land Charges section.

In conclusion, the Leader advised that as the shared services programme progressed Members were continually looking for opportunities to make savings.

It was then:-

RESOLVED

That the forecast income and expenditure variations for the 2009/10 financial year be noted.

E.106/09 WRITE OFF REPORT

A report was considered which informed Members of the individual debts for all revenue streams within the Service remit, debts up to the value of £3,000, written off by the Head of Financial Services under delegated authority, and also seeking permission to write off those debts in excess of £3,000 which were detailed in the presented report.

In introducing the report, the Lead Executive Member for Financial Affairs stated that, with the exception of Non Domestic Rates, the figures were better than he had expected. He therefore felt cautious optimism that the position had stabilised.

It was then:-

RESOLVED

1. That, in accordance with Financial Regulations, the Head of Financial Services has authorised the write-off of individual South Hams District Council debts totalling £59,923.48, together with £11,178.30 of Non Domestic Rate Debt which is collected on behalf of the Government as detailed in Tables 1 and 2 of the presented report; and
2. That the write off of individual debts in excess of £3,000 (as detailed in Table 3) be approved.

E.107/09 EXEMPTIONS TO STANDING ORDERS RELATING TO CONTRACTS AND FINANCIAL INSTRUCTIONS

A report was considered which informed Members of the exemption (s) to Standing Orders Relating to Contracts and Financial Instructions since the previous Executive meeting, in accordance with the procedure approved by the Council (minutes 70/07 and 49/07 refer).

The Lead Executive Member for Financial Affairs introduced the report and advised that he was initially disappointed at the number of exemptions contained within it. However, in the case of the contract in relation to Salcombe Harbour, the contractor was the only one globally who could undertake such work. In relation to the Lower Ferry contract, the contractor had already undertaken previous work and therefore a saving was achieved by selecting that contractor for further work. The Lead Executive Member also recommended that the other exemptions be approved but again stated that they were exemptions and should only be used in exceptional circumstances.

The Strategic Director (Resources) reminded Members that the use of the Exemptions report was within the rules and it helped to ensure transparency. In response to a question from a Member about the levels set at which the Council goes out to tender, the Strategic Director (Resources) suggested that perhaps it would be an appropriate time for the Standing Orders to be reviewed. Members agreed and asked for an additional recommendation that the Audit Committee review the Standing Orders relating to Contracts and Financial Instructions.

It was then:-

RESOLVED

1. That the exemptions to the Standing Orders Relating to Contracts and Financial Instructions attached at Appendix A and B of the presented report be noted; and
2. That the Audit Committee review the Standing Orders relating to Contracts and Financial Instructions.

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 15 MARCH 2010 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00am and concluded at 11.50am).

Chairman