

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD
AT FOLLATON HOUSE, TOTNES ON THURSDAY 18 DECEMBER 2008**

MEMBERS

* Cllr B F Cane – Chairman

* Cllr M Stone – Vice-Chairman

* Cllr K J Baldry	* Cllr P W Hitchins
* Cllr N A Barnes	* Cllr M J Howarth
* Cllr H D Bastone	* Cllr C W Jones
* Cllr J H Baverstock	* Cllr L P Jones
* Cllr J I G Blackler	* Cllr R M Lawrence
* Cllr J Brazil	* Cllr I Longrigg
∅ Cllr B E Carson	* Cllr D W May
* Cllr R J Carter	* Cllr D M O'Callaghan
* Cllr P H Cook	∅ Cllr C M Pannell
∅ Cllr S E Cooper	* Cllr J T Pennington
* Cllr P Coulson	∅ Cllr S L Rankin
* Cllr R F Croad	* Cllr R Rowe
* Cllr G Date	* Cllr M F Saltern
* Cllr G J Fielden	* Cllr J W Squire
* Cllr R D Gilbert	* Cllr R C Steer
∅ Cllr F J Hawke	* Cllr R J Tucker
* Cllr J D Hawkins	* Cllr R J Vint
* Cllr T J Hewitt	* Cllr A Ward
* Cllr M J Hicks	∅ Cllr J A Westacott MBE

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance:

For all items: Strategic Management Team; Monitoring Officer; Member Support Services Manager and Communications Manager;

Item 11 (Minute 65/08 below refers): Head of Community Regeneration; and
Item 13 (Minute 67/08 below refers): Street Scene Manager and Legal Assistant.

59/08 **MINUTES**

The minutes of the meeting of the Council held on 13 November 2008 were confirmed as a correct record and signed by the Chairman.

60/08 **DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be considered during the course of the meeting. These were made as follows:-

Cllrs J H Baverstock and M J Howarth declared personal interests in Item 14: 'Members Allowances' (Minute 68/08 below refers) by virtue of the reference to their respective Chairmanship roles in the report of the Independent Panel and remained in the meeting during the discussion and vote on this item.

61/08

CHAIRMAN'S ANNOUNCEMENTS

The Council noted a list of civic engagements attended by the Chairman.

In addition to these engagements, a Member advised that following 35 years service, Chief Fire Officer Paul Young was retiring from the Devon and Somerset Fire and Rescue Service on 31 December 2008. The Member highlighted how widely respected Mr Young was and felt it would be fitting for the Chairman, on behalf of the Council, to send a goodwill letter to him on his retirement.

The Council proceeded to endorse this suggestion.

A presentation was also made to two Members who had been successful in a recent prize draw, which had successfully raised a total of over £1,300 towards the 'Help the Heroes' Charity.

62/08

QUESTIONS

It was noted that the following question had been received in accordance with Council Procedure Rule 8:-

From Cllr Baldry to Cllr Tucker, Leader of Council

- (i) *On 18 November 2008, the Conservative Member of Parliament for South West Devon asked the following question in the House of Commons: "Despite the current market correction, the need for affordable housing in south Devon remains as great as ever, yet both the proposed new towns, which were intended to deliver much of that affordable housing, are now unlikely to happen for many years because of the credit crunch. Can the Minister tell us what plan B is?" [Hansard col 117]*

What answer would the Leader of the Council have given?

In response, Cllr Tucker stated that the Council continued to develop successfully its planning policies to improve the delivery of affordable housing, for example through the adoption of the Affordable Housing Development Plan Document. The Council was also promoting sites for housing development on the basis that the development industry would recover in due course; for example negotiations continued with the promoters of the new community at Sherford, as well as on a range of other potential housing sites across the District.

However, the Council acknowledged the difficult economic times and did have a 'plan B'. On 27 November 2008, the Community Policy Development Group considered a report entitled the 'Impact of Current Economic Conditions on the Delivery of Affordable Housing'. The purpose of the report was to set out the issues facing the Council in the delivery of its primary corporate objective under current market conditions. The Community Policy Development Group reviewed the work being undertaken across key services involved in housing and proposed a number of new initiatives to the Executive. Those recommendations, in combination with the recommendations from a report on the same agenda relating to the Affordable Housing Capital Programme, were accepted at the Executive on 4 December 2008. In combination, implementation of these two reports would help us maintain a supply of affordable housing despite the 'credit crunch'.

The Council would continue to review the issue over the upcoming months and would ensure it was keeping up to speed.

In response to a supplementary question, Cllr Tucker stated that there was a pressing need for affordable housing. Whilst the Council could not guarantee that the Sherford development would come forward, negotiations were ongoing, but the Council was only in an enabling position with regard to this project.

63/08

NOTICE OF MOTIONS

It was noted that no motions had been received in accordance with Council Procedure Rule 10.1.

64/08

DELIVERY OF PRIORITIES – CURRENT PROGRESS

The Leader of Council presented to Council a paper entitled: 'What is South Hams District Council Proposing to Deliver to the People and Communities of the District in 2008/09' (as attached at Appendix A).

The Leader advised that this paper was an interim update following on from his annual update at 8 May 2008 meeting (Minute 07/08 refers).

In discussion, reference was made to:-

- (a) Children and Young People. In noting the progress made on Children and Young People related issues, the Leader wished to commend the work of the Member Champion in this area;
- (b) the three cross-cutting themes. In stating that the cross cutting themes were integral to the Council's Corporate Priorities, a Member was informed that these would be referred to in the annual update to Council in May 2009;

- (c) the increase in the small business rate multiplier for 2009/10. In deploring the announcement from the Department for Communities and Local Government to increase the multiplier, and with the Chairman's consent to its being raised as urgent business on the grounds that action was required without delay, the following motion was **PROPOSED** and **SECONDED**:-

'In these extremely difficult economic times, this Council deplores the announcement from the Department for Communities and Local Government to increase the small business rate multiplier for 2009/10 from 45.8p to 48.1p (approx 5% increase).

In the South Hams, which is characterised by small businesses, any such increase will counteract the ameliorating initiatives of this Council and, indeed, the minor benefits to be derived from the Government's proposal to reduce VAT.'

In supporting this motion, Members felt that an approximate 5% increase was significant and regrettable, particularly in the current economic climate when businesses could least afford it.

It was then:

RESOLVED

In these extremely difficult economic times, this Council deplores the announcement from the Department for Communities and Local Government to increase the small business rate multiplier for 2009/10 from 45.8p to 48.1p (approx 5% increase).

In the South Hams, which is characterised by small businesses, any such increase will counteract the ameliorating initiatives of this Council and, indeed, the minor benefits to be derived from the Government's proposal to reduce VAT.

65/08

PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to a report which set out for Members recommended changes to the Supplementary Planning Document (SPD) and sought agreement for its adoption.

The report advised that the Planning Obligations SPD would guide the process of agreeing planning obligations. It would help to ensure that the impacts and costs of development, including legal and management fees, were appropriately met.

In respect of the community infrastructure element of the SPD, some Members felt that it did not take sufficiently into account that local communities often had differing priorities. Therefore, the Members wished to see the term: '*needs of the locality*' replaced with the term: '*needs of the local community*' and also requested the deletion of the second paragraph of section 6.8 (of the SPD as appended to the presented agenda report), which it was felt to be overly prescriptive and made it harder for local communities to argue their individual priorities.

In reply, officers accepted that these comments echoed some of the consultation feedback received and advised that, where viability issues came into play, the SPD was intended to be used as a basis to commence negotiations and therefore clear priorities needed to be established. Furthermore, S106 negotiations were heavily dependent upon firm government guidance and expenditure could only be used for infrastructure, service and community requirements which were directly linked to the development. Potentially, some community priorities may not be directly linked to the development and if imposed could be appealed against.

It was then:

RESOLVED

1. That the amended Planning Obligations SPD be adopted; and
2. That, prior to formal publication, minor word changes be delegated to the Head of Community Regeneration.

66/08

DECLARATION OF THE COUNCIL TAX BASE AND INDIVIDUAL TAX BASES FOR TOWNS & PARISHES – 2009/10

Members considered a report which set out the basis of the approach which culminated in the calculation of the Council Tax Base. The report also sought to amend the Council's Scheme of Delegation in order that the authority's Council Tax Base be presented in the future to the Chief Executive and Strategic Directors for approval, rather than full Council.

RESOLVED

That:-

1. the Council Tax Base for the year 2009/2010, as being 37,626.03, be approved;
2. the Tax Base calculated for each of the parishes and towns for the year 2009/2010, as per the attached schedule (presented Appendix C refers), be approved; and
3. in the future, the Chief Executive and the Strategic Directors be given delegated authority to approve the Council Tax Base each year, in accordance with Section 67 of the Local Government Finance Act 1992 as amended.

67/08

CONCESSIONARY CAR PARKING FOR RESIDENTS

The Council considered a report which presented the results of the consultation process on the Concessionary Car Parking Scheme for residents.

During discussion, the following points were raised:-

- (a) It was noted that to date, the scheme was proving to be popular, with approximately 500 applications already having been received in the last five days;
- (b) The Member who had initially presented the proposal to the Council advised that he hoped that when the initiative was reviewed after twelve months, the administration fee could be scrapped and the scheme could become free of charge to all residents.

RESOLVED

That the Council has considered the prepared amendments and approves the South Hams (Off-Street Parking Places) (Residents' Parking Permit) (Amendment) Order 2009 and arrangements (as outlined in the presented agenda report) that are intended to take effect from 1 February 2009.

68/08

MEMBERS' ALLOWANCES

A report was considered which sought to determine the new Scheme of Members' Allowances for 2009/2010, whilst having regard to the recommendations of the Independent Panel on Members' Allowances.

In discussion, reference was made to:-

- (a) the role of Audit Committee Chairman. The Leader advised that he wished to make one amendment to the recommendations of the Panel in relation to the role of the Audit Committee Chairman. In proposing that the Special Responsibility Allowance (SRA) for the role remain at its existing level (1 x the basic Member Allowance), the Leader highlighted the growing responsibility associated with the position and the increasing requirements emerging both nationally and internationally.

In support of the Panel's recommendation, a Member expressed the view that the Audit Committee currently only met four times per year and its business did not appear to be so onerous to warrant the current SRA level. Moreover, the Member did not believe that the position generated the same levels of public accountability and interest as other Chairmanship roles.

For clarity, it was noted that any variations from the Panel's recommendations had to be identified when the new Scheme of Members' Allowances was published.

- (b) discrepancies between the mileage rates for staff and Members. Officers informed that the rates for staff were set nationally, whilst the travel allowance for Members was influenced by the Inland Revenue's advisory rate. It was noted that the Inland Revenue was under pressure to review the current amount payable due to spiralling fuel costs;
- (c) the recommendation to freeze the basic allowance for 2009/10. In making reference to the current economic climate, a number of Members welcomed the recommendation to maintain the allowance at the current level. A Member felt that as public representatives, Members were obliged to review their expenses wherever possible and should be looking at a possible reduction in Basic Allowance in future years. In contrast, another Member stressed the need to attract potential new Members to stand for election and felt that there would be a lack of incentive to become a Councillor without reasonable remuneration to reflect the amount of work involved.

RESOLVED

That with the exception of the Special Responsibility Allowance for the Audit Committee Chairman remaining at 1 x the Basic Member Allowance, the recommendations of the Independent Panel on Members' Allowances (as presented at Appendix A to the presented agenda report) be agreed and that the revised Scheme of Members Allowances (as presented at Appendix B to the presented agenda report) be adopted from 1 April 2009.

69/08

REPORTS OF BODIES**RESOLVED**

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

- | | | |
|-----|-----------------|------------------|
| (a) | Personnel Panel | 19 November 2008 |
| (b) | Scrutiny | 20 November 2008 |
| (c) | Community PDG | 27 November 2008 |
| (d) | Audit Committee | 2 December 2008 |

A.20/08 Anti Money Laundering Policy and Procedures**RESOLVED**

1. That the Anti Money Laundering Policy be adopted; and
2. That the S.151 officer be appointed as the 'Money Laundering Reporting Officer'.

A.22/08 Progress Against the 2008/09 Internal Audit Plan

Due to the majority of this item being debated in exempt session, the Chairman assured the Council that the headline issues in the minutes were debated in great depth, but could not be reflected in the public record.

A.23/08 International Reporting Standards – Forthcoming Changes to the Statement of Accounts

In response to a question, officers advised that the new regulations would require all public sector bodies to look at the life expectancy of each of the different components of its built assets (e.g. the water supply and the roof). The valuations of the assets would therefore be based upon the combined valuations of each component. It was noted that the Council had to adopt these regulations, which would have significant cost and resource implications.

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|-----|-----------|-----------------|
| (e) | Executive | 4 December 2008 |
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E.80/08: Review of Car Park Charges 2009/10**RESOLVED**

That the Pay and Display charges for 2009/10 be maintained at 2008/09 levels.

E.86/08: Shared Services – Revenue / Benefits

RESOLVED

1. That should West Devon Borough Council terminate their contract with CAPITA Managed Services, a shared service solution for the administration of Housing and Council Tax Benefits and the collection of Council Tax, Business Rates and associated exchequer and cashier services be created between the two councils;
2. That the Strategic Director (Resources), in consultation with the Leader of Council, be delegated authority to take the appropriate actions to progress this project and to further develop the business case (as outlined within the presented Exempt report to that meeting) to include the arrangements for the sharing of costs and savings; and
3. That the governance arrangements for the delivery of the shared Revenue and Benefits Service (as provided at appendix C to the presented exempt report to that meeting) be adopted.

(Meeting commenced at 2.00 pm and concluded at 3.10 pm).

Chairman

Appendix A

WHAT IS SOUTH HAMS DISTRICT COUNCIL PROPOSING TO DELIVER TO THE PEOPLE AND COMMUNITIES OF THE DISTRICT IN 2008/09

We believe it is important to set out our aspirations. Whilst some of these are particularly challenging at a time of declining financial support from Central Government, we believe it is important that we set ourselves challenging targets. These are:

CP1 – Secure a supply of housing for local people at affordable levels

- We will progress our new affordable housing policies enabling us to provide more affordable homes in the future; **The Affordable Housing Development Plan Document was adopted on 25.09.08**
- We will complete the 2nd phase (53 houses) of the development of Totnes Southern Area and begin the necessary work to prepare for the third and final phase of the development; **Ongoing. Phase 2 is scheduled for completion before Christmas 2008. Phase 3 is currently under review in the light of the economic situation**
- We will work with landowners, partners and the local community to enable new affordable homes at Dartmouth, Totnes, Lee Mill and Newton Ferrers; **Discussions with developers/landowners ongoing but the pace of progress has been affected by the economic situation. As a response, the Executive has recently agreed a range of new ideas for supporting our top priority in a declining development market**
- We will work with landowners, local communities and partners to provide between 70 and 100 affordable homes; **Ongoing and there are currently 74 affordable houses on site under construction**
- We hope to receive an acceptable planning application for the development of Sherford which will provide jobs and housing for people across the South Hams; **An application has been received but not determined. Negotiations on the Section 106 are continuing in the light of the resolution of the Development Control Committee on 23 April**
- We will avoid the long term use of bed and breakfast accommodation for homeless households and continue to help people across the district avoid homelessness; **In any one month we have not had more than one household in bed and breakfast. This is in comparison to the situation experienced in 2006 where we had up to 19 families in bed and breakfast. In the last 9 months we have prevented homelessness in 110 cases**
- We will fund adapting at least 60 homes where a disabled person resides. **In 18 months we have adapted 129 homes - 68 in 07/08 and 61 to date in 08/09**

CP2 – Create the conditions for the growth and maintenance of quality economic activity

- We will complete at least 5 employment units at Admiral's Court and plan for developing a fourth phase; **We have completed the 5 employment units and they are all occupied. We are currently reviewing our plans for the fourth phase**

- The employment space at the Watermark Centre, Ivybridge will be completed with a financial contribution of approximately £½ million from the Council; **The centre was officially opened by HRH The Princess Royal on 2 October 2008**
- We will work with landowners to promote the regeneration of key sites such as Noss on Dart and Baltic Wharf in Totnes so as to help achieve more jobs; **Ongoing. Discussions are progressing and both sites have been subject to public consultation exercises which the Council has encouraged the respective developers to carry out**
- We will work to achieve employment development at Langage; **Ongoing. The Council leads a range of strategic partners who are working together to bring forward a major employment development in challenging economic times**
- We will work with local people in Dartmouth to enhance Dartmouth Town Centre; **Ongoing. Several meetings to establish community priorities have already taken place**
- We will support tourism businesses to carry out Sustainable Tourism initiatives; **Ongoing. Businesses are encouraged through workshops, events and regular online communication**
- We will encourage businesses to improve environmental performance and business profitability through the Green Tourism Business Scheme. **Ongoing. The Council helps to fund, in partnership with the Tourism Skills Network, Green Awareness Workshops for businesses to encourage them to be accredited with the Green Tourism Business Scheme award**

CP3 – Maintain the district’s distinctive environment whilst enabling access and sensitive development

- We will start a major tree planting programme in the Langage area; **Initial phases of strategic planting implemented by the developer**
- We will bid for lottery money to improve open spaces in South Hams and also review opportunities to upgrade our key parks; **Ongoing. The Council agreed the Capital Programme in July 2008 which includes proposed upgrades to a range of open spaces/parks**
- We will carry out environmental improvements at Norton Park & Ride; **Landscape scheme drawn up for implementation in 2008/09 planting season**
- We will, with partners, revise and renew the plan for the Area of Outstanding Natural Beauty, to ensure action is taken to conserve and manage this special area over the next five years; **Ongoing. The Environment Policy Development Group considered this matter in July 2008**
- We will work with our partners in West Devon and Teignbridge to address climate change issues. **The Council is also developing a carbon management action plan as part of the Carbon Trust programme, working in partnership with East Devon District Council**

CP4 – Maintain a clean environment

- We will recycle or compost at least 50% of household waste generated in the South Hams; **The Council recycles 57%, which is second highest recycling rate in the Country**

- We will set up a pilot scheme to deliver a seamless street maintenance service with at least one Quality Council in the South Hams. **The pilot with Stokenham Parish Council has been successfully established**

CP5 – Work with others to improve access to key services

- We will work with Tone leisure and the youth service to improve access to the leisure centres for children and young people; **Ongoing. Examples include Leisure Youth Nights and enhanced children's holiday activity programmes**
- We will work in partnership with Tone Leisure to deliver 10 Play Ranger sessions in 3 parks to improve access to safe and exciting play opportunities for children and young people; **This initiative began in summer 2008 and will continue to provide 30 sessions annually until June 2010**
- We will work with Mansion House to provide a new Family Playbus to provide access for families with under 5s to play and extend services to reach rural communities; **The bus has been purchased and with revenue funding from Barnados currently delivers 6 out reach play sessions a week to our rurally isolated communities**
- We will deliver 2 day Play schemes to 5 locations in South Hams, the recycling scrapstore, to provide access to holiday activities for children aged 8-13, with a recycling message; **A total of 5 Play schemes were delivered in Dartmouth, Totnes, Modbury, Harberton and West Charleton in 2008 with planned delivery of further events in 2009 and 2010**
- We will aim to work with Ivybridge Town Council to provide easier access to services for local people; **This initiative was explored but was unable to be progressed at the current time. The principle of the proposal will be kept under review, alongside other opportunities for improving access to services which may emerge across the District**
- We have launched a Customer First Policy and will review our procedures to best meet customer expectation. **Work continues to improve response times and first time resolution of enquiries in order to provide the best possible service for our customers. We now run a series of outreach events and surgeries for a range of services throughout the district. We are also working towards gaining a Customer Service Excellence accreditation, a recognised standard in customer service delivery**

CP6 – Improve core service performance in a cost-effective way

- We will deliver savings of £500,000 (of which at least £100,000 will be efficiency savings from shared services); **This will be achieved**
- We will carry out efficiency reviews of services that are important to you. **A number of reviews are in place or are planned**

In addition to meeting many of the primary actions we set out in May we have also achieved the following:

June

- 4 Blue Flag beaches announced at Bantham, Blackpool Sands, Challaborough and Bigbury-on-Sea

July

- Recently published government figures show a total of 99.2% of Council Tax due in 2007/8 was collected putting South Hams at the top of the league in the South West

September

- 2007/08 Accounts signed off by the Audit Commission and received another unqualified opinion
- Award of £1m Housing and Planning Delivery Grant

October

- South Hams sees 28% drop in the number of certain crimes over the last three years, which exceeds the target figure set by the Government (15% target)

November

- Retained Investors in People (IIP) status which has been held for 15 years
- Sent the least amount of waste per household to landfill than any other area in England
- Salcombe Harbour Authority achieved national recognition and awarded "Leading Light" status by the British Ports Association (BPA) and the Government. The award acknowledges ports across the country who are working to recommendations set out in a review of municipal ports in England and Wales

December

- Completion of the Multi-Use Games Area (MUGA) in Woolwell which was funded through a partnership of South Hams District Council, Devon County Council, Bickleigh Parish Council and a grant from The Youth Capital Fund

Reviewed – December 2008