

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD
AT FOLLATON HOUSE, TOTNES ON THURSDAY 20 DECEMBER 2007**

MEMBERS

* Cllr R J Carter – Chairman

* Cllr B F Cane – Vice-Chairman

* Cllr K J Baldry	* Cllr M J Howarth
* Cllr N A Barnes	* Cllr C W Jones
* Cllr H D Bastone	* Cllr L P Jones
* Cllr J H Baverstock	* Cllr R M Lawrence
* Cllr J I G Blackler	* Cllr I Longrigg
* Cllr J Brazil	* Cllr D W May
* Cllr B E Carson	* 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 M Stone
* Cllr J D Hawkins	* Cllr R J Tucker
* Cllr T J Hewitt	* Cllr R J Vint
* Cllr M J Hicks	* Cllr A Ward
* Cllr P W Hitchins	* Cllr J A Westacott

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance:

For all items: Chief Executive, Strategic Director (Community), Strategic Director (Operations), Strategic Director (Resources), Deputy Monitoring Officer and Member Support Services Manager;

Item 10 (Minute 65/07 below refers): Head of Community Regeneration; Affordable Housing Manager and Planning and Affordable Housing Officer.

60/07

MINUTES

The minutes of the meeting of the Council held on 15 November 2007 were confirmed as a correct record and signed by the Chairman, subject to it being recorded that Cllr F J Hawke had declared a prejudicial (and not a personal) interest and left the meeting during consideration of the minutes of the Licensing Committee meeting held on 17 October 2007 (Minute 53/07 refers).

61/07

CHAIRMAN'S ANNOUNCEMENTS

Following the urgent item raised at the Council meeting on 15 November 2007 (minute 51/07 refers), the Chairman drew Members attention to a letter tabled from the Department for Communities and Local Government regarding Local Development Framework consultation.

The Council also noted a list of civic engagements attended by the Chairman. The Chairman wished to make particular reference to his visits, with the Vice-Chairman, to the Council depots and offices.

62/07

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 recorded as follows:-

Cllr C W Jones declared a personal interest in item 15(c): 'Reports of Bodies – Audit Committee: 11 December 2007 (minute Monitoring Report – Leisure Centres, Sport and Healthy Lifestyles Contract' (minute 70/07 below refers), by virtue of him previously holding the position of Chair of the now disbanded South Hams Community Leisure Trust and remained in the meeting and took part in the discussion thereon;

Cllr M J Howarth declared a personal interest in item 13: 'Members Allowances' (minute 68/07 below refers) by virtue of his role as the Chairman of the Audit Committee and whilst he remained in the meeting, did not take part in the discussion and abstained from the vote thereon.

63/07

QUESTIONS

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

From Cllr Baldry to Cllr Hewitt, Executive Member for a Clean Environment

(i) A report from Teignbridge District Council shows that problems from rats and other vermin have increased by one third since the introduction of fortnightly collections. What has been the increase in reported problems from rats and vermin in South Hams in the past 12 months?

At 12.55 pm on 5 December, interviewed on Radio Devon, James Morrish (Conservative) leader of Torrridge District said that his District would continue with a weekly collection of all waste because he was fearful not to do so would increase health risks. Why does this council not wish to protect our citizens in the same way as Cllr Morrish in Torrridge?

In response, Cllr Hewitt advised that a report by the Government had found that there was insufficient evidence to prove a causal link between alternate weekly collection (AWC) and increase in rodent numbers.

Through day to day work we had not found that rodents' problems were linked to specific cases where people were failing to manage the AWC system. In addition, our Pest Control contractor had not reported growing problems associated with AWC.

When the Council made its decision on how to manage the waste within South Hams, it had a number of issues to resolve. These included:-

- How to meet government targets on recycling and the diversion of biodegradable material;
- Resolving health and safety issues related to manual handling waste that was not stored in suitable containers; and
- Seagulls, vermin and other wild animals ripping open black sack waste and thus littering the highway.

All of these factors were in the main resolved by introducing wheeled bins. The containers, if correctly used, resist the efforts of most wild animals and vermin.

What could not be ignored was the fact that the population of rats within the British Isles had been on the increase for a number of years. The National Pest Technicians Association issued an annual rodent report. Their findings were:-

- Water companies were not managing rat issues effectively;
- Over feeding of wild birds and thus producing a feed source for rodents;
- Litter, discarded food containers and the increase in fly tipping again, was a feed source; and
- Derelict urban properties not being brought back into occupation.

Clearly from the findings the key factor's to manage were to reduce feed source and shelter for the rat population. On this Council's part, introducing the new wheeled bins had been an effective way of managing the previously mentioned factors.

In addition we had established a Street Scene section that had been managing waste enforcement. As of this year, the section had secured a number of prosecutions against fly tippers and had accrued close to £4,000 of fines.

Lastly if we looked at the arrangements of the Council which was used as a comparison in the Members question, interestingly we find that they had a black sack collection scheme for their domestic waste. This did somewhat suggest that perhaps they might find benefits from adopting other practices. However this would require investment on their part.

In asking a supplementary, Cllr Baldry questioned what the Council proposed to do in cases where householders were incorrectly using their wheelie bin. In response, Cllr Hewitt acknowledged that it was inevitable that some householders would require greater education when implementing a new method of collection, but this was not a sufficient justification to return to the previous practice.

From Cllr Baldry to Cllr May, Executive Member for Financial Affairs

(ii) In Cllr Carson's answer to me on 15 November he indicated that it was no longer the policy of the Executive to close public lavatories. At the time when it was the policy to close lavatories, the public lavatory in Yealmpton was closed by the District Council. Yealmpton Parish Council opposed this closure. Because the Parish Council thought it was important for the sake of residents and tourists to provide a public lavatory they built one (partly funded by a SHDC Grant). The maintenance of this lavatory is by far the biggest item of expenditure for the Parish Council. Now that other parishes are going to continue to have the maintenance of their lavatories paid for by the District would it not be more equitable for the District to make a contribution towards Yealmpton's costs?

In response, Cllr May stated that Yealmpton toilet was one of a number that had been closed or where responsibility had been transferred to other organisations where South Hams Council did not make a contribution towards costs. The Yealmpton Parish Council was undertaking improvements to the parish rooms and as part of that a toilet was incorporated for public use. South Hams Council contributed to the costs and it was agreed at the time that the Parish Council would maintain these facilities for public use.

Cllr Baldry asked a supplementary question regarding whether the Executive Member felt it reasonable for public conveniences in Ivybridge to be funded by Council Taxpayers but not in Yealmpton. In response, Cllr May accepted the comment and advised that any such decisions concerning public conveniences were not taken lightly.

From Cllr Ward to Cllr Carson, Executive Member for Distinct Environment

(iii) What is the council's baseline carbon footprint i.e. total emission from buildings, fleet transport, procurement, waste, staff travel and IT?

Cllr Carson advised in his response that whilst the Council did not know its baseline carbon footprint, the Executive adopted the Climate Change Strategy and the accompanying action plan on 8 November 2007. Within the action plan it was proposed to identify the base line carbon footprint partly utilising the report which had been commissioned from Teignbridge. The Council had also expressed an interest in joining the carbon management programme established by the Carbon Trust to improve our approach to reducing carbon emissions.

The Council monitored the use of energy, water and fuel. It should also be noted that our electricity was from renewable sources and our trade waste vehicles used low sulphur fuel.

Cllr Ward questioned in her supplementary whether the proposed carbon management bid (if approved) would lead to a specific timetable for carbon footprint works to be undertaken. In response, Cllr Carson stated that it would be firstly pertinent to wait for the outcome of the budget setting process.

From Cllr O’Callaghan to Cllr May, Executive Member for Financial Affairs

(iv) Is this council concerned that the managing director of Tone Leisure Juliette Dickinson is also a Trustee? Doesn’t this contradict the spirit of having an independent body of Trustees, and represent a conflict of interest?

In response, Cllr May advised that it was his understanding that it was very common for a Managing Director (MD) to serve on the Company Board in similar arrangements elsewhere. In addition, he was not aware that there was a conflict of interest within Tone from the MD running the contract and sitting on the Board. The MD had to abide by the requirements of the Charity Commission and Companies House.

In conclusion, the Council was not aware of any breach of requirements or impropriety caused by Juliette Dickinson's position or actions.

In asking a supplementary question, Cllr O’Callaghan asked whether the lead Executive Member believed that a list of the trustees should be advertised at the leisure centres and on the Tone Website and also queried whether the terms of the leisure contract were being breached with regard to appropriate publicity of the complaints procedure. In response, Cllr May felt there was no reason why the list could not be published on the website and in the leisure centres (subject to the agreement of the trustees). With regard to the contract matter, Cllr May advised that he would seek legal advice from officers and report back to the Member in due course.

From Cllr O'Callaghan to Cllr Hewitt, Executive Member for a Clean Environment

(v) Does the Executive Member agree with me and with the Chairman of the Council John Carter that the public toilets in Fore Street, Kingsbridge, should stay, and that the decision to close them made by the Executive of this council last March, was wrong?

In response, Cllr Hewitt advised that the public toilets referred to were actually in Fore Street Car Park and not Fore Street itself. It may be recalled that the 2006 decision to consider closure of these toilet facilities in 2007 was based on 2 main factors. The first being that they suffered from frequent vandalism and were therefore often in need of refurbishment. The second factor was that the best information available to the Executive at that time was that the new Tesco store would provide a better facility and this was due to be in place prior to the closure of the existing toilets. In view of the delay on the facilities offered by Tesco and taking into account the access to the Tesco facility was not yet suitable for the more elderly or disabled patrons, this Council would not close the Fore Street car park toilets at this time.

However, when and if Tesco agreed to put in a more suitable access to their toilets, the Council could decide to review the situation on the basis that removing the existing facility would provide for additional car parking spaces lost because of the enhanced pedestrian link from the new supermarket to Fore Street. In conclusion, it should be pointed out that the continued operation of this facility had been under regular review and we would always try to balance the need for the existing toilet building against the need for off road parking. If Tesco finally offered a better solution, it would be viewed positively.

From Cllr O'Callaghan to Cllr Tucker, Leader of Council

(vi) Members were told, in response to a question at the last full council meeting, that £10,875 raised by Kids with Commitment on setting up the ill-fated skatepark in Kingsbridge has all been spent. However the group claims it was invoiced by the district council for £11,397.50. It also says it raised an extra £5,875 through making a grant application which legally had to be paid to the land owners, South Hams District Council. Why the discrepancy, and what has happened to this extra money?

In response, Cllr Tucker advised that the skatepark in Kingsbridge Recreation Ground was constructed by the Council over six years ago in the summer of 2001 and the officers involved in the development and implementation of the project have now left the Council. Current officers had been asked to review earlier committee reports to check the funds raised by Kids with Commitment. Officers had now retrieved all relevant project files which had been archived and confirmed that Kids with Commitment paid for two particular items of equipment costing £4,250 and £5,450 plus VAT. This amounted to £11,397.50, which was invoiced to them. The total cost of the original park equipment was £32,000. From the files, reference to the sum of £5,875 as a grant from Foundation for Sport and the Arts was identified. Any grant funding obtained at that time would have been spent as part of the total project cost of £32,000. Cllr Tucker apologised for any confusion arising at the previous Council meeting when referring to the sum raised locally as being £10,875, rather than £11,397.50 (minute 55/07 refers).

In asking a supplementary question, Cllr O'Callaghan asked whether the Leader felt a moral obligation to provide a skatepark in Kingsbridge, when considering £75,000 had been spent on similar facilities in Dartmouth and Totnes. In response, Cllr Tucker reiterated that £32,000 had been spent on the original facility in Kingsbridge. Furthermore, officers attended the recent Kingsbridge Skatepark Working Group and confirmed the information set out in the initial response. Officers also restated the Council's position that it would review a proposal once a site had been found by the Town Group which met the needs of the skaters and did not create a nuisance for local residents. The Council would also continue to liaise with the Working Group and review the situation as and when an appropriate site came forward.

From Cllr Howarth to Cllr May, Executive Member for Financial Affairs

(vii) Given that the Tone Leisure contract has now been operational for one year, will the Executive Member please explain what benefits this has delivered for the residents of the South Hams. How much has the Council saved as a result of these arrangements, and how much investment has Tone Leisure made in facilities at the four Centres? What increases have there been in membership numbers and usage at the Centres?

In response, Cllr May advised that during the first year of the Leisure Contract, the Council was to make a £230,000 saving which was primarily made up of business rates and VAT achieved by operating through a local trust arrangement.

During the early part of the contract, Tone carried out investments worth £528,000 and made improvements to the health and fitness suites and the crèches at South Dartmoor Leisure Centre (SDLC) and Quayside Leisure Centre (QLC). Other investment in terms of staff development and Ofsted accreditation placed Tone in a good position to offer better activities, particularly for young people, at all four centres.

For April to October this year, overall usage of the leisure centres had increased by 20,000 to 339,116. This was an increase of 6% compared to the same period in 06/07. Centre memberships had increased to just over 2,000 members for QLC, SDLC and Dartmouth, with another 750 members at Totnes. In particular, health and fitness memberships had increased by 25% since the start of the year at QLC and SDLC. From July this year, 1200 children had attended holiday activity camps in the summer and October half term. To support this growing level of demand and to provide a greater range of activities, considerable staff training had been carried out at a cost of £14,000.

In asking his supplementary question, Cllr Howarth queried whether the Executive Member had considered the contract to have been a success to date. In response, Cllr May acknowledged that it had been a challenging year for Tone, officers and staff but felt that the contract had achieved what the Council had set out and made reference to issues including: the success of the Youth Nights, the additional investment, new training programmes and the increased onus upon staff training and development. In conclusion, the Member felt that the future of the current arrangement looked promising.

64/07

NOTICE OF MOTIONS

It was noted that three motions had been received in accordance with Council Procedure Rule 10.1.

(a) By Cllrs Saltern and Steer

"This Council opposes reductions in Private Sector Renewal funding for the years 2008-11. This funding enables invaluable assistance towards the vulnerable in cold and sub-standard properties by making significant cost effective improvements, which runs complementary to the affordable housing programme.

Whilst a major increase in investment in rural affordable housing is vital, a continuing properly funded rolling programme is also essential to maintain the private sector.

This Council's understanding was that the Government's drive to increase affordable housing numbers was to be based on significant levels of new money. It would now appear that a redistribution of existing funding is intended. It seems ill conceived and indeed short sighted to enable more affordable units at the expense of our existing stock.

This Council requests that the strongest possible representation be made to DCLG requesting assurances that Private Sector Renewal Funding will at least be maintained at current levels without undermining the Government's commitment to significantly increase funding to support rural affordable housing".

Having been **PROPOSED** and **SECONDED**, the proposer of the motion set the issues in context and particularly referred to the initial budget allocation for the South West region for the years 2008-11 being just £38 million, instead of the previous provision of £84 million. This would result in the Council receiving only approximately £350,000 per annum, which was felt to be illogical when considering the Grant helped those living in vulnerable conditions and assisted in maintaining living standards. When asked to respond on this Grant proposal, South West authorities had sent a clear message emphasising that the amount was totally insufficient. As an update, since the motion was submitted, the proposer advised that the Grant proposal had been increased to £73 million for the region, yet to maintain housing at its current level, a grant of £88.5 million would be required. In stating his disappointment, the Member acknowledged the need for new build housing but also stressed the need for an increase in this grant allocation.

The seconder of the motion reiterated the importance that the funding received ensure that housing be maintained at its current level or improved further.

In response to a question, the proposer assured the Council that means testing was in place to ensure that the grant was used for the benefit of the vulnerable and not for absent landlords.

It was then:

RESOLVED

This Council opposes reductions in Private Sector Renewal funding for the years 2008-11. This funding enables invaluable assistance towards the vulnerable in cold and sub-standard properties by making significant cost effective improvements, which runs complementary to the affordable housing programme.

Whilst a major increase in investment in rural affordable housing is vital, a continuing properly funded rolling programme is also essential to maintain the private sector.

This Council's understanding was that the Government's drive to increase affordable housing numbers was to be based on significant levels of new money. It would now appear that a redistribution of existing funding is intended. It seems ill conceived and indeed short sighted to enable more affordable units at the expense of our existing stock.

This Council requests that the strongest possible representation be made to DCLG requesting assurances that Private Sector Renewal Funding will at least be maintained at current levels without undermining the Government's commitment to significantly increase funding to support rural affordable housing.

(b) By Cllrs Pennington and Squire

"This Council opposes and deplors the decision made by the Secretary of State to review local government structures in Devon and in particular the possibility to take into consideration the boundaries of Plymouth and Torbay adjacent to the district of the South Hams. South Hams District Council is a "Beacon" Council providing high quality services and has a widely recognised reputation amongst the electorate in protecting and promoting the special qualities of the South Hams and also received an excellent CPA (Comprehensive Performance Assessment) from the inspectors. Therefore, this Council strongly urges both the Secretary of State and P.Rowsell Deputy Director Local Democracy Department for Communities and Local Government not to invoke boundary changes involving the geographical integrity of the District of South Hams in the enlargement of local government boundaries of both Plymouth and Torbay".

In accordance with Council Procedure Rule 12.7, the motion was altered to read:

"This Council will not support the incorporation of South Hams parishes which have common borders with Torbay or Plymouth, into either Torbay Borough or the City of Plymouth". Having then been **PROPOSED** and **SECONDED**, the proposer of the motion referred to the importance of this issue and the need for the Council to make its position clear to save the identity of the South Hams and its towns and parishes. The proposer felt that the Council was in the process of developing very successful partnerships with both its neighbouring authorities and the County Council and any boundary changes were totally unnecessary. In addition, the proposer highlighted the high costs of any re-organisation, placing an added burden on the Council Taxpayer and stressed that such monies should be focused upon providing services. The view was also expressed that any such changes should be driven by the people, who currently felt disengaged, rather than being enforced by central Government. In his final point, the proposer referred to the Council policy which preserved the South Hams from growing into the Torbay Principal Urban Area, which was supported at a public enquiry.

The seconder advised of his total support for the altered motion.

In discussion, particular reference was made to:-

- (a) the Exeter City Council unitary bid. In supporting the altered motion, a Member felt it a real shame that this boundary review had arisen from the Exeter City Council bid for unitary status, regardless of what was best for both local people and local communities;
- (b) the motion being premature. Whilst having sympathy with the motion, a Member felt it was slightly premature and was based upon rumour and baseless opinion. The Member also made reference to there being no terms of reference for the review and felt the motion was a knee-jerk reaction and he was therefore minded not to support it at this time.

It was then:

RESOLVED

This Council will not support the incorporation of South Hams parishes which have common borders with Torbay or Plymouth, into either Torbay Borough or the City of Plymouth.

(c) By Cllrs Pennington and Squire

“This Council will mount a democratic referendum of electors across the district of South Hams to ascertain the people’s views on any geographical boundary changes involving both Plymouth and Torbay which would lead to the likely break up and abolition of the South Hams District”.

In accordance with Council Procedure Rule 12.7, the motion was altered to read:

“This Council will mount a democratic consultation if necessary across the district of South Hams to ascertain the people’s views on any geographical boundary changes.” Having then been **PROPOSED** and **SECONDED**, the proposer of the motion advised that a number of the points raised in his previous motion ((ii) above) were also relevant in this instance. The Member also stated his belief that such changes were driven by a central Government wish for regional government.

In discussion, Members reiterated their belief that a number of the points raised in the previous motion ((ii) above) also applied for this motion.

It was then:

RESOLVED

This Council will mount a democratic consultation if necessary across the district of South Hams to ascertain the people’s views on any geographical boundary changes.

65/07

AFFORDABLE HOUSING DEVELOPMENT PLANNING DOCUMENT – SUBMISSION STAGE

A report was considered which set out the content of the South Hams Local Development Framework (LDF) Affordable Housing Policies (Submission Stage) Document and sought agreement for its publication.

Since the publication of the agenda papers, the draft policies had been further amended and were tabled for Member comment. The lead Executive Member outlined this proposed amendment as being with regard to the sliding scale for calculating affordable housing provision or contribution (Policy AH3: Unallocated Sites refers).

In presenting the report, the lead Executive Member highlighted that the policy was urgently needed in light of the severe circumstances and the need to move forward and publish the document quickly was critical. To ensure that houses were built as quickly as possible, it was vital that the frameworks were in place as soon as was practically possible.

In discussion, reference was made to:-

(a) 500 new dwellings on the Plymouth Urban Fringe. Officers clarified that the total of 500 dwellings did not include the 140 dwellings to be constructed at Staddiscombe. In addition, whilst the full LDF process for the Plymouth Urban Fringe document was still to run its course, at the preferred options stage there were no proposals for site allocations in Wembury or Brixton;

(b) an amendment to the proposed recommendation. The following amendment was **PROPOSED** and **SECONDED**:-

“That Council RESOLVES that the LDF Affordable Housing Development Plan Document (Submission Stage) be voted upon and published after Members have had an opportunity to read and comment upon a complete and published version of the “Affordable Housing DPD Responses Summary and Suggested Actions” document.

The proposer of this amendment emphasised the importance of getting the document right and expressed concerns that the document should not be rushed through. The Member considered that a number of the responses submitted during the consultation stage had been overlooked and had not been seen by most Members. Furthermore, those who had submitted responses had not received any feedback. As an example, the Member made reference to the removal in the document of all reference to innovative approaches to housing construction (e.g. self build) despite a number of consultees stating their support for this inclusion. The Member felt that the Council was not in a position to make a responsible and informed decision at present and as a consequence, the matter should be deferred for consideration at the Special Council meeting on 24 January 2008.

In supporting this amendment, some Members reiterated these points and felt that the importance of the policy was such that a delay of one month to the next Council meeting was justified.

In response, the lead Executive Member informed that all documents were available at the joint informal meeting of the Development Planning Steering and Community Policy Development Groups on 6 December 2007, at which all Members were able to attend and discuss the item. The Member did sympathise that feedback had not been given to those responses received to date and gave assurances that this matter would be addressed imminently. However, the Member could see no reason to delay publication, which would be to the detriment of the Council and its residents.

Officers advised those present that the document was being progressed as a priority in order to provide a new policy framework to address Corporate Priority 1. Assurances were given by officers that resources were being deliberately targeted to enable rapid progress with the document. The Council was also advised of the timetable whereby a one month delay in publishing the document could result in a 3 month delay for the examination if the summer period were to be avoided. With regard to the Responses Summary document, it was pointed out that it had been available for Members to view but could not be finalised until a decision to publish was taken by Council. The Responses Summary would be published on the website at the point of the document's publication in order to meet Government requirements.

When put to the vote, this amendment was declared **LOST**.

- (c) the need for the document to require a “tenure blind” mix of social rented and market housing. In response, officers advised that they would make reference to this point in the supporting text of the document;

- (d) impact upon future housing prices. The lead Executive Member advised that the contributions required by the document would be related to the equivalent costs of free serviced land and not construction costs;
- (e) Members commended the work of the lead Executive Member and officers to advance the document so swiftly. A Member also stressed the importance of progressing this document and the fact that extensive consultation would continue throughout the process.

RESOLVED

That the LDF Affordable Housing Development Plan Document (Submission Stage) be published.

66/07

DECLARATION OF THE COUNCIL TAX BASE AND INDIVIDUAL TAX BASES FOR TOWNS & PARISHES – 2008 / 2009

Consideration was given to a report which advised of the need for the Council to set a tax base by 31 January each year for its area under the provisions of the Local Government Finance Act 1992. The report set out the basis of the approach culminating in the calculation of the Council Tax Base itself.

RESOLVED

That:-

1. the Council Tax Base for the year 2008 / 2009 as being 37,249.41 be approved;
2. the Tax Base calculated for each of the parishes and towns for the year 2008/2009 as per the attached schedule at Appendix C be approved.

67/07

POLLING DISTRICTS / POLLING PLACES REVIEW

Consideration was given to a report which informed Members that the Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed by the end of 2007. In order to comply with the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 made under the above Act, every council in England and Wales had to undertake and complete a review of all the polling districts and polling places within its area by 31 December 2007.

During discussion, reference was made to:-

- (a) the views of Marldon Parish Council. The local Ward Member echoed the concerns of the Parish Council and stressed that the village hall was a totally unsuitable venue to hold an election. The Member proceeded to advise that he had received feedback that the venue was not compliant with the Disability Discrimination Act and wished for the local primary school to be used in the future. In response, officers stated that for future elections, they would take into account the views of the Member and the Parish Council;
- (b) the Ivybridge Central polling district. A Member advised that the code for this polling district in the published agenda papers was incorrect and should read 'LAL'.

RESOLVED

That:-

1. the revised Polling Districts Places (as detailed in the presented Appendix A) be approved;
2. a new order (the South Hams Polling Districts and Polling Places Order 2007) be made; and
3. the South Hams Polling Districts and Polling Places Order 1999 be revoked.

68/07

MEMBERS' ALLOWANCES

Consideration was given to a report that enabled Members to determine the new Scheme of Members' Allowances for 2008 / 2009 having had regard to the recommendations of the Independent Panel on Members' Allowances.

In discussion, particular reference was made to:-

- (a) the proposed inflationary increase. The Leader advised that the Panel had considered a number of indices to increase allowances by and had concluded that the Retail Price Index figure should again be applied to ensure consistency;
- (b) the Audit Committee Chairman. It was noted that the Panel had concluded that the responsibility of the Audit Committee was such that the Chairman should be in receipt of a Special Responsibility Allowance;

- (c) an amendment to the proposed recommendation. The following amendment was **PROPOSED** and **SECONDED**:

“That the recommendations of the Independent Panel on Members’ Allowances (presented at Appendix A) be agreed and that the revised Scheme of Members Allowances (as shown at presented Appendix C) be adopted from 1 April 2008, subject to the percentage increase in Members’ Allowances not exceeding the percentage increase in the pay of basic grade District Council staff”

The proposer of this amendment felt that all Members knew the terms and conditions of being a Member prior to the election in May 2007. The Member also expressed concern that a 4.2% increase (in accordance with the RPI) was almost twice as much as the last basic grade staff increase of 2.475%. In response, the Chief Executive advised that whilst it was such a rare occurrence to differ from the recommendations of the Panel, he believed that any departures to that of the Panel’s findings had to be advertised in the press.

When put to the vote, this amendment was declared **LOST**.

- (d) Special Responsibility Allowances. A Member questioned the multipliers used to calculate the Special Responsibility Allowances and in particular felt there was a discrepancy regarding the Chairman of the Salcombe Harbour Board receiving only 0.5 x the basic allowance.

RESOLVED

That the recommendations of the Independent Panel on Members’ Allowances (presented at Appendix A) be agreed and that the revised Scheme of Members Allowances (as shown at presented Appendix C) be adopted from 1 April 2008.

69/07

TOR HOMES BOARD

Consideration was given to a report which sought Council agreement to reduce its current membership on the Tor Homes Board from 5 to 4 Members.

The Leader of Council advised that the Member who was proposed to no longer serve on the Board was in agreement with the recommendation. The Leader also stated the importance of maintaining a representative from the Minority Groups on the Board.

RESOLVED

That with immediate effect for the remainder of the 2007/2008 municipal year, Cllrs Carson, Hawke, Rankin and Saltern remain as the Council's representatives on the Tor Homes Board.

70/07

REPORTS OF BODIES**RESOLVED**

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

- | | | |
|-----|-------------------------------|------------------|
| (a) | Development Control Committee | 14 November 2007 |
| (b) | Personnel Panel | 3 December 2007 |
| (c) | Audit Committee | 11 December 2007 |

A.20/07 Monitoring Report – Leisure Centres, Sport and Healthy Lifestyles Contract

A non-Committee Member who had attended the meeting took exception to the comment in the minutes that '*Once all Members were satisfied that they had no further questions in relation to the exempt appendices, the press and public were readmitted.*' The Member advised that he had a number of questions on the exempt papers which the Chairman had prevented him from asking. In response, the Chairman advised that he felt that the Member had been given ample opportunity to ask questions and he felt that the input from all Members should be balanced.

The Member also highlighted his dissatisfaction regarding the quality of the data presented to the Committee in the exempt papers and made reference to there being a number of omissions. The Member hoped that the quality of this information would be improved for future meetings. The Chairman responded by accepting that there were omissions, but stated that it was the first opportunity for Tone to present such information and he too hoped to see improvements in this area in the future.

A.22/07 Revision of Standing Orders Related to Contracts**RESOLVED**

That the Standing Orders Relating to Contracts and its inclusion in the Council's Constitution, under the heading of 'Contract Procedure Rules', and the revised financial limits be approved.

A.23/07 Amendments to Financial Instructions

RESOLVED

That the update of the document be approved.

(NOTE: Cllr Gilbert wished for it to be recorded that he had abstained from the vote on both the minutes and recommendations arising from this meeting).

(d) Executive

6 December 2007

(Meeting commenced at 2.00 pm and concluded at 4.00 pm).

Chairman