

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD
AT FOLLATON HOUSE, TOTNES ON THURSDAY 21 DECEMBER 2006**

MEMBERS

* Cllr B E Carson – Chairman

* Cllr R J Carter – Vice-Chairman

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|---------------------|-----------------------|
| * Cllr N A Barnes | * Cllr J O'Connell |
| ∅ Cllr H D Bastone | ∅ Cllr C M Pannell |
| * Cllr J S Beer | ∅ Cllr J T Pennington |
| * Cllr B J Boughton | * Cllr M C Ramsay |
| * Cllr J Brazil | ∅ Cllr S L Rankin |
| * Cllr B F Cane | * Cllr M A Roadknight |
| * Cllr P H Cook | * Cllr G H W Rosevear |
| * Cllr R F Croad | * Cllr G Rothwell |
| ∅ Cllr G Date | ∅ Cllr R Rowe |
| ∅ Cllr B C Evans | * Cllr M F Saltern |
| ∅ Cllr L A Facy | * Cllr J W Squire |
| * Cllr S M Fairman | * Cllr I P Steer |
| * Cllr G J Fielden | * Cllr M Stone |
| * Cllr R W Hallett | * Cllr D W S Thorning |
| * Cllr V A Harvey | * Cllr R J Tucker |
| * Cllr J D Hawkins | * Cllr A R Vale |
| * Cllr P W Hitchins | ∅ Cllr A Ward |
| * Cllr I Longrigg | * Cllr J A Westacott |
| * Cllr D W May | * Cllr R O Yonge |

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance:

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

For items 10 and 11 (see 76/06 and 77/06 below): Head of Financial Services.

70/06 **MINUTES**

The minutes of the meeting of the Council held on 16 November 2006 were confirmed as a correct record and signed by the Chairman.

71/06 **URGENT BUSINESS**

The Chairman announced that there was one item of urgent business regarding an award to the Council from the British Retail Consortium (BRC).

Members were advised that the Council had been awarded the BRC's Flexible Landlord Standard as a result of its acceptance of advance monthly rent payments from tenants. This helped tenants to avoid cash flow problems which could occur as a result of having to make quarterly payments.

72/06 **CHAIRMAN'S ANNOUNCEMENTS**

The Council noted a list of the Chairman's recent engagements.

73/06 **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 Cane declared a prejudicial interest in item 8, question (i) (minute 74/06(a) below refers) owing to his land ownership in the vicinity of the Sherford development and his provision of accommodation to employees of the local bricks works. He left the meeting when this question was answered.

74/06 **QUESTIONS**

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

(a) From Cllr Cane to Cllr Yonge, Leader of the Council:-

We who live in Brixton have accepted that there will be a Sherford Town within our Parish. We are anxious that it becomes a quality and prestigious development. The Leader is aware that within our Parish, there is a brick works that produces some of the finest bricks in the country. This establishment has in the recent past seen temporary closures for the lack of custom. Can the Leader assure me that in line with "sustainability" everything will be done by this Council to ensure that local supplies are used wherever possible in the Sherford and other developments?

In response, Cllr Yonge advised that it was his wish to see the development at Sherford mimic other towns in the district, with a distinctive local style and using local materials to create a sustainable community that was a credit to the South Hams. However, Members were advised that the Council could only plan for this eventuality as opposed to enforcing its provision.

(b) From Cllr Brazil to Cllr Yonge, Leader of the Council:-

What were the car park takings for 1999/2000 by SHDC and what are the projected takings for 2006/07?

In response, Cllr Yonge advised that the takings for 1995 / 1996 had been £845,000 which, in 1999 / 2000, had risen to £1,443,000. For 2006 / 2007, the projected takings (as at November 2006) were £2,652,000. The percentage increase for the years 1995 / 1996 to 1999 / 2000 had been 71% and, for the period 1999 / 2000 to 2006 / 2007, they had been 86%.

(c) From Cllr Brazil to Cllr Yonge, Leader of the Council:-

What has been the percentage increase in council tax from 1999 to 2006?

Cllr Yonge advised that the percentage increase in council tax from 1995 / 1996 to 1999 / 2000 for the District Council's component of the bill had been 62% compared to an average increase in shire districts of 48.5%. The overall increase had been 38% (incorporating the other precepting authorities). For the period from 1999 / 2000 to 2006 / 2007, the District Council component of the bill had increase by 36.8% whereas the bill in total had increased by 69.45%.

(d) From Cllr Brazil to Cllr Yonge, Leader of the Council:-

Since 1999 how much money has been transferred from SHDC reserves into the pension fund?

Cllr Yonge advised that £17.5m had been transferred from reserves into the pension fund since 1999.

(e) From Cllr Brazil to Cllr May, Executive Member for the Clean Environment

Since the review in July 2004, what has been the percentage cut in the street cleaning budget per head of population in the South Hams?

Cllr May advised that there had been a 19.5% decrease in spending per head of population since 2004 from £12.11 to the current spend of £10.62.

Cllr Brazil asked a supplementary question regarding the figure of £7.50 per head of population that had been quoted in the budget papers presented to the Executive at its meeting on 7 December 2006 (E.80/06 refers). Members were advised that the budget papers had since been updated.

(f) From Cllr O'Connell to Cllr May, Executive Member for the Clean Environment:

Following the complex operation of rescheduling our waste collection, can we please have the figures for our % of recycled waste and our standing relative to other similar councils? Can he please tell us the amount we would have been fined had we not achieved these figures and the % effect it would have had on the Council Tax.

Cllr May advised that the Council's recycling rate was 44% (as at 2004 / 2005 when figures were last published), which was the ninth highest nationally. Whilst fines would not be implemented until 2009 / 2010, the potential fine to the Council had the recycling scheme not been introduced would be approximately £700,000.

(g) From Cllr Brazil to Cllr Barnes, Executive Member for Access to the Council's Services:

What have been the revenue contributions due to savings and efficiencies of the call centre in respect of the project's business plan and can you give details?

In response, Cllr Barnes advised that the cash savings to date were £47,300 and non-cash efficiency savings were £114,000.

Cllr Brazil asked a supplementary question as to whether the Customer Service Centre would achieve a break even position within 5 years. In response, Cllr Barnes referred to high set up costs in the first year, but believed that a break even position would be achieved within 5 years.

(h) From Cllr Brazil to Cllr Steer, Executive Member for Housing:

How many affordable houses have been built in the South Hams since 1999?

In response, Cllr Steer advised that just fewer than 500 affordable homes had been built since 1999 and that a further 60 would be finished in spring 2007.

Cllr Brazil asked a supplementary question regarding the Council's attainment of Beacon Status for affordable housing when the number of homes built was less than the Council's target of 100 per year and significantly less than the 600 new homes per year identified through the Housing Needs Survey.

Cllr Steer referred to a desire to see more affordable properties built and that the award of Beacon Status reflected that the Council was outperforming others in the South West and nationally. The employment of a dedicated officer team on affordable housing also demonstrated the Council's commitment. The loss of income from second homes council tax was a problem to funding new affordable housing schemes.

(i) From Cllr Ramsay to Cllr Carson, Chairman of the Council:

Will SHDC join Totnes Town Council and Devon County Council in asking for open discussion about the recently disclosed decision to move Dartington College of Art to Falmouth in two years time?

Cllr Carson advised that Cllr Tucker would respond to this question as it was within his Executive portfolio and he had been involved in recent discussions on this matter.

Cllr Tucker advised that a recent meeting with representatives from the College had clarified that a decision to relocate the College of Arts to Falmouth had not been made as yet. The Council would work with others to have an open dialogue on this matter and help the College to come to the correct decision.

75/06

PRESENTATION BY EXECUTIVE PORTFOLIO HOLDER**Cllr David May, Executive Member for the Clean Environment**

Cllr May made reference to:-

- (i) the areas of responsibility within his portfolio. Of particular interest was the establishment of the new Street Scene Service, which brought together car parks, markets, litter and waste enforcement;
- (ii) a number of areas of ongoing work, notably the development of budget proposals and taking a hands-on approach on matters such as Dartmouth Regatta and consultation on car parking;
- (iii) achievements to date, which included the availability to all households of a boundary collection recycling scheme, with 44% of waste now either composted or recycled.

Following Cllr May's presentation there was an opportunity for questions when reference was made to:-

- (1) proposals for a new higher ferry and what the impact would be on the lower ferry service. Cllr May advised that projected income would need to be established prior to considering any major investment in the lower ferry service;
- (2) the need to publicise more the availability of assistance to people who could not bring their waste bins to the boundary of their property for collection;
- (3) a request from a Member for Dartmouth for the new Street Scene Wardens to be presented to the town;
- (4) a Member's concern at rising car park charges and a reduction in income which suggested that high charges were now a deterrent to use. In response, Cllr May referred to the need to invest more in car parks in recent years for reasons of user security which necessitated a higher level of income. In addition he suggested that the charges were reasonable and realistic and that the proposal to reduce the cost of parking for half an hour was a step in the right direction.

76/06

NOTICE OF MOTION

It was noted that one motion had been received in accordance with Council Procedure Rule 10.1.

By Cllrs Brazil and Ramsay:

“This Council will increase business rate relief to qualifying rural shops, pubs and post offices from the mandatory 50% to 100% from April 2007.”

Having been **PROPOSED** and **SECONDED**, the proposer of the motion referred to the additional cost of £57,000 if 100% business rate relief was introduced. However, 75% of this was payable by central government and so the cost to the Council was only just over £14,000. £125,500 had been paid in business rate relief in the previous financial year and there was a need to support the district’s rural facilities.

During discussion, reference was made to:-

- (i) the qualifying criteria for premises wishing to claim business rate relief. In response to a question, Members were advised that restaurants did not qualify;
- (ii) a Member’s opposition to the motion on the grounds that it should be considered as part of the budget and that the Council would exercise its discretion in awarding additional rate relief when it was appropriate to do so and where the qualifying criteria had been met;
- (iii) the role of public houses and shops in enhancing the sense of community within smaller villages and the significant impact of their closure;
- (iv) clarification by the Monitoring Officer of the government’s intentions through its legislation on rate relief. A discretionary award could be made based on evidence of hardship and need and it would be inappropriate to award rate relief where a business was sufficiently profitable.

On being put to the vote, the motion was declared **LOST**.

77/06

DECLARATION OF THE COUNCIL TAX BASE AND INDIVIDUAL TAX BASES FOR TOWNS AND PARISHES – 2007 / 2008

Members considered a report which set out the basis of the approach to and calculation of the Council Tax Base for 2007 / 2008 as was required by the Local Government Finance Act 1992.

RESOLVED

That:-

- 1. the Council Tax Base for the year 2007 / 2008 of 37,125.93 be approved; and
- 2. the Council Tax Base calculated for each of the parishes and towns for the year 2007 / 2008, as per the schedule attached at appendix c of the report presented to Council, be approved.

78/06

AMENDMENTS TO THE CONSTITUTION

Consideration was given to a report which sought Member approval to revise the Constitution in light of the Council's entry into the Devon Building Control Partnership.

RESOLVED

That:-

- (i) the Scheme of Delegations, Responsibility for Functions and Rules of Procedure be revised in light of the Council's entry into the Devon Building Control Partnership;
- (ii) the Monitoring Officer be authorised to make the necessary textual amendments to the Constitution arising from (i) above.

79/06

REPORTS OF BODIES**RESOLVED**

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

- (a) Community Policy Development Group 9 November 2006
- (b) Executive 9 November 2006

E.66/06: Budget Proposals 2007 / 2008 Review of Charges**RESOLVED**

That the proposed fees and charges for Environmental Health, Housing and Salcombe Spur be approved as detailed in the report presented to the Executive.

- (c) Executive 7 December 2006

E.84/06: Reports of Other Bodies

- (a) **Development Planning Steering Group – 27 November 2006**

**(3) Local Development Framework – Core Strategy
– Inspector’s Report**

RESOLVED

That the revised Core Strategy be adopted in line with the Inspector’s binding report.

**(6) Development Control Core Policies Development
Plan Document – Preferred Options**

RESOLVED

That the comments expressed by the Development Planning Steering Group on the latest position with the Development Control Core Policies Development Plan Document (Preferred Options) be endorsed.

**(7) Kingsbridge and Totnes Development Plan
Documents – Preferred Options**

RESOLVED

That it be noted that the Development Planning Steering Group has considered the emerging content of the Kingsbridge and Totnes Development Plan Documents (Preferred Options).

(d) Licensing Committee 10 November 2006

L.6/06 – Hackney Carriages – Table of Fares

RESOLVED

That:-

- (i) In respect of hackney carriages operating within South Hams District Council, the maximum fares which may be charged should be set in accordance with the table of fares attached as the appendix to the report to the Committee; and
- (ii) The table of fares be advertised and come into effect in accordance with the provisions of section 65 of the Local Government (Miscellaneous Provisions) Act 1976.

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| (e) | Development Control
Committee | 15 November 2006 |
| (f) | Scrutiny | 23 November 2006 |
| (g) | Business Board
(Operations) | 28 November 2006 |
| (h) | Business Board
(Leisure, Car Park and Markets) | 28 November 2006 |

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

Chairman