

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD  
AT FOLLATON HOUSE, TOTNES ON THURSDAY 25 JUNE 2009**

**MEMBERS**

\* Cllr M Stone – Chairman

∅ Cllr J H Baverstock – 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 I G Blackler	∅ Cllr R M Lawrence
* Cllr B F Cane	∅ 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
* Cllr P W Hitchins	

\* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Chief Executive, Strategic Director (Community), Strategic Director (Resources), Solicitor and Member Support Services Manager.

21/09

**MINUTES**

The minutes of the annual meeting of the Council held on 14 May 2009 were confirmed as a correct record and signed by the Chairman.

At his discretion, the Chairman proceeded to allow a Member to raise a question arising from these minutes, in relation to the recent Prince's Foundation Workshops on the Local Development Framework (LDF). Despite these workshops being publicly funded, the Member felt that they were inadequately advertised. In response, the Leader advised that he believed that the workshops had represented good value for money and reminded those present that the actual formal consultation process would not commence until the autumn.

Another Member stated his dissatisfaction that the Workshop held in Modbury had been dominated by Modbury related issues as a result of local protestors from this parish being in attendance. To counter this view, a local Ward Member advised that consideration had been given to all relevant parishes during this Workshop.

22/09 **APPOINTMENT OF VICE-CHAIRMAN**

**RESOLVED**

That Cllr B F Cane be appointed Vice-Chairman for the duration of the meeting.

23/09 **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.

24/09 **CHAIRMAN'S ANNOUNCEMENTS**

The Council noted a list of Civic Engagements attended by the Chairman.

The Chairman wished to make particular reference to the Tour of Greenway House and Gardens which he had undertaken on Tuesday, 2 June 2009. In highlighting that the restoration works carried out were commendable, the Chairman advised Members that the House and Gardens were well worth a visit.

25/09 **URGENT BUSINESS**

The Chairman advised that he had agreed for one urgent item to be raised at this meeting. The item related to the need to appoint a temporary Chairman to the Salcombe Harbour Board and was considered urgent due to the Constitutional requirement for the Chairman to be a Member of the Council.

Prior to nominations being invited, the Acting Leader of the Liberal Democrat Group stated her disappointment that she had not been informed of this urgent item before the meeting.

It was then:

**RESOLVED**

That Cllr J H Baverstock be appointed as Chairman of the Salcombe Harbour Board for the interim period.

26/09

## **QUESTIONS**

It was noted that no questions had been received in accordance with Council Procedure Rule 8.

27/09

## **NOTICE OF MOTIONS**

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

28/09

## **ANNUAL REPORT OF SCRUTINY AND THE POLICY DEVELOPMENT GROUPS**

Council considered a report which outlined the workings of Scrutiny and the Policy Development Groups during the 2008/2009 Municipal Year. The report also sought to make recommendations for future work programmes and amend working methods where appropriate.

In discussion, reference was made to:-

- (a) Beacon Affordable Housing Studies (to incorporate Community Land Trusts). Whilst affordable housing was considered to be Corporate Priority 1 for the Council, a Member considered the length of time that it was taking for this matter to be presented to the Community Policy Development Group to be unacceptable. In response, it was noted that nationwide, such Trusts were currently not achieving significant levels of affordable housing. In relation to this specific item, Members were informed that the Council had faced problems in the compilation of this report and officers were aware of the need to follow up progress with the consultants;
- (b) the Scrutiny Call-in procedure. A Member highlighted the restrictive nature of the current procedure and welcomed its review, which was scheduled for presentation to the Scrutiny Group meeting on 2 July 2009;
- (c) the remit of each Policy Development Group (PDG). Some Members of the Environment PDG expressed their view that the Group was utilising very few of its available tools. Furthermore, Group Members felt that they had minimal input into their future work programme. The Members considered this to be particularly pertinent when feedback from the recent Place Survey indicated that 48% of residents felt that they could not influence the decision-making process in their local area.

In reply, the Leader stated that the content of PDG agendas were a matter for each individual Group. On a more general point, he also felt that it may be an opportune time in due course to re-convene the Political Structures Working Group to review whether each PDG remained fit for purpose. With regard to the Place Survey, the Leader informed that this was governed and moderated by central government and the South Hams was penalised for its demographic composition. Therefore, the results of the recent General Satisfaction Survey were considered to be a more accurate reflection of local opinion.

### **RESOLVED**

That the work programmes of Scrutiny and the Policy Development Groups be noted.

29/09

## **REPORTS OF BODIES**

### **RESOLVED**

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

(a) Standards Committee 19 May 2009

#### **S.1/09: Continuation of the Consideration of Complaint SH04/170708 (Minute S.36/08 also refers)**

Some Members expressed their strong concerns regarding the content contained within Appendix A. These Members commented that such exaggerated language was unacceptable and a Member felt that the Standards Committee had itself brought the Council into disrepute. The point was also raised that Members were at risk of being restricted from carrying out their prime function of representing their constituents.

In reply, the Chief Executive highlighted that the procedures had been imposed by the Standards Board for England. In addition, the Chief Executive made reference to the Committee being chaired by an independent representative and made reference to its functioning being largely outside the control of the Council.

A Member also stated that all Members were bound by the Code of Conduct and whether they like it or not, they had to abide by the Code and it therefore should be read frequently.

(NOTE: In accordance with Council Procedure Rule 15.6, Cllrs K J Baldry, G Date, C W Jones, D M O'Callaghan, C M Pannell, R J Vint and A Ward wished for their vote against noting these minutes to be formally recorded).

- (b) Development Control Committee 20 May 2009
- (c) Community Policy Development Group 27 May 2009
- (d) Standards Committee 27 May 2009

**S.5/09: Review of the Constitution**

**RESOLVED**

1. That no major changes be made to the executive arrangements for the Council; and
2. That the minor amendments to Parts 1 and 2 of the Constitution (as set out in the Appendix to the report presented to the Committee) and the further minor additions (as raised at the Committee meeting) be approved.

- (e) Executive 28 May 2009

**E.9/09: Declaration of Air Quality Management Areas – Totnes and Ivybridge**

**RESOLVED**

That an Order be made, under the Environment Act 1995 Part IV Section 83(1), to designate the areas hatched green on the plans (as circulated to that meeting (reference P1 and P2)) as Air Quality Management Areas.

**E.14/09: Reports of Other Bodies**

**a) Prosperity Policy Development Group – 29 April 2009**

**PPDG.24/08 Dartmouth Regatta – Park and Ride**

It was confirmed that the Council was still awaiting the receipt of a suitable management plan for the Regatta. The Council had therefore requested that the Police pursue this matter, as it was considered essential that a robust plan was in place, prior to a licence being issued to the Regatta Committee.

**RESOLVED**

That the charge for operating the park and ride scheme on the Wednesday, Thursday, Friday and Saturday of the regatta week (26-29 August 2009) be set at £10.00 per car.

**PPDG.25/08 Lower Ferry Monitoring Report**

Members wished to extend their thanks to the Dartmouth Lower Ferry staff for their recent sterling work during the period when the Higher Ferry was out of action.

(f) Salcombe Harbour Board 8 June 2009

**SH.7/09: Amendments to the Salcombe Harbour Board Constitution**

**RESOLVED**

That the Salcombe Harbour Board Constitution be amended to clarify the appointments process for Council Members, as set out in Appendix A to the minutes of that meeting.

**SH.9/09: The Batson Pontoon Replacement Project**

**RESOLVED**

1. That a contract for the replacement pontoons at Batson be let to WALCON Marine Ltd at the price as outlined in the presented report; and
2. That the project be financed by a loan from the Council for £190,000 over a period of up to twenty five years, with the balance being financed from the Pontoon Reserve.

(g) Personnel Panel 11 June 2009

30/09 **CHAIRMAN'S CONCLUDING REMARKS**

Before declaring the meeting closed, the Chairman wished, on behalf of the Council, to congratulate Cllr Vint for his recent achievement in receiving a Community Award, which had been gained for his work with local communities.

(Meeting commenced at 2.00 pm and concluded at 2.45 pm).

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Chairman