

**MINUTES OF A MEETING OF THE EXECUTIVE  
HELD AT FOLLATON HOUSE ON THURSDAY, 10 APRIL 2008**

**MEMBERS**

\* Cllr R J Tucker - Chairman

\* Cllr P W Hitchins - Vice-Chairman

\* Cllr N A Barnes

\* Cllr H D Bastone

\* Cllr B E Carson

\* Cllr T J Hewitt

\* Cllr D W May

\* Cllr M F Saltern

\* Denotes attendance

Also in attendance at the invitation of the Chairman:

Cllrs K J Baldry, J H Baverstock, J Brazil, J D Hawkins, C M Pannell, J T Pennington  
and J W Squire.

Also in attendance but not participating:

Cllrs J I G Blackler, G J Fielden, F J Hawke, M J Hicks, M J Howarth, R Rowe,  
J W Squire, R C Steer and R J Vint.

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community) and Strategic  
Director (Resources);

Item 7 (minute E.123/07 below refers) – Strategic Director (Operations) and Head of  
Environment Services;

Item 8 (minute E.124/07 below refers) – European Research Officer;

Item 9 (minute E.125/07 below refers) – Head of Landscape and Leisure and  
Leisure and Recreation Officer.

**E.119/07      MINUTES**

The minutes of the meeting of the Special Executive held on 1 April 2008 were confirmed as a correct record and signed by the Chairman.

**E.120/07      MEMBERS IN ATTENDANCE**

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

Item 7 (minute E.123/07 below refers) – Cllrs Baldry, Pannell and Squire;  
Items 7, 8 and 9 (minutes E.123/07, E.124/07 and E.125/07 below refer)  
– Cllr Brazil;

Items 7 and 8 (minutes E.123/07 and E.124/07 below refer) – Cllr  
Pennington;

Item 8 (minute E.124/07 below refers) – Cllr Baverstock;

Items 9 and 12 (minutes E.125/07 and E.128/07 below refer) – Cllr  
Hawkins.

E.121/07 **DECLARATIONS OF INTEREST**

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

E.122/07 **PUBLIC QUESTION TIME**

In accordance with the Executive Procedure Rules, it was noted that three questions had been received from members of the public as follows:-

**1. Question received from Cathy Kiddle, Secretary for Totnes Allotments Association**

*"Can the SHDC Executive assure the Totnes Allotments Association that they will exercise their right to ensure the provision of sufficient allotment space (following national guidelines) for existing and future residents within the Totnes and Dartington Development Plan?"*

In response, the Chairman advised that the Executive did not determine planning policies, as this was the role of full Council. Once the Council had reviewed the outcome of the recent consultation process, and taken account of all the competing pressures for different land uses, it would consider a revised Local Development Framework document for submission to an Examination.

At this stage, Members could not make any commitments about future allocation of land uses to any specific sites in the Totnes area, including allotments, until officers had completed their review of the currently published Totnes LDF document.

**2. Question received from Pat Sykes, Chair Totnes & District Sustainability Group:**

*"What action will the Council be taking to minimise fuel poverty and to meet or exceed Code 4 Sustainable Homes Standards, recommended in the draft RSS (policy G) and by Devon CC (re: Sherford), in relation to:*

*(a) next phase of Totnes Southern Area development*

*(b) Sherford*

*(c) The LDf Core policies document?"*

In response, the Chairman reiterated the point that the Executive did not determine planning policies and that this was the role of the Council. It was also noted that the Executive did not have a remit to determine planning applications. However, it was noted that the Council would assess proposals for Sherford against the recently adopted Area Action Plan, and any other relevant material considerations, including emerging guidance and the views of

consultees such as Devon County Council. The Regional Spatial Strategy (RSS) was currently in draft and being considered by the Secretary of State, and therefore did not have the same weight to it as the adopted AAP.

In relation to the Totnes Southern Area development, methods to progress the next stage of the development were currently under consideration by the Council.

As a landowner, the Council would need to balance the need for affordable housing, achieving environmental sustainability, and viability, because the next phase of the project would involve both housing development and a decked car park. At this stage, the Council hoped to at least match the level of sustainability which had been achieved in the current phase of the Totnes Southern Area development.

In planning terms, the next phase of development would be assessed against any adopted policies, including the LDF documents, which were in place when a future planning application was determined.

Once the RSS was adopted, its requirements would inform future updates to existing adopted LDF documents such as the Core Strategy, and emerging LDF documents, such as the core development control policies.

**3. Question received from Brian Boughton, Dartmouth Town Councillor:**

*"If you are aware that a Town Councillor in Dartmouth has broadcast on local radio about our swimming pool project, can you bear in mind that he has no authority from MCTi or Dartmouth Town Council to make official comments?"*

*"In the meantime MCTI has posted you copies of the Burke Rickhards report on the non-feasibility of developing our current outdoor pool facility and if you have not received your copy will you ask me for one outside of the meeting?"*

In terms of the first part of the question, it was noted that the Council was aware of the radio interview referred to, and would not wish to comment on such matters, which related to Town Council business.

In response to the second part, once the Town Council had made its report public, this Council would be happy to engage in discussions with the Town Council, and other appropriate partners about the best way forward, based on the conclusions of the Town Council's report.

**E.123/07 REVIEW OF WASTE COLLECTION SERVICE**

Consideration was given to a report which sought approval for a supplementary budget for the household waste and recycling collection service. During analysis of the waste round collection service, it was determined that the optimum solution for the district was the use of all three existing depots rather than operating out of only two of them as at present. The report outlined four proposals for the organisation of resources for collection rounds out of the three depots, highlighting option C as the preferred option.

The report also identified potential shared services arrangements for waste collection with Teignbridge District Council and West Devon Borough Council. It was noted that a shared service review would challenge the services in each local authority. Various initiatives for collaboration would be explored including in house and external service delivery.

In conclusion, the report noted that the Council was a high achieving Council in relation to recycling. This had been achieved by securing the buy-in of residents of South Hams and the staff of the Council. The issues of funding and the existing practices that were in place had some negative effects on the morale of the workforce. It was therefore important that the Council did not allow these issues to impact on the standard of service delivery which the residents expect.

In presenting the report, the Executive Member with responsibility for a Clean Environment, informed those present that the request for a supplementary budget was not incorporated into the 2008/2009 budget process as the amount of financial support required was unknown. Although the need for a supplementary budget was known at the time of the previous budget process, the review of the waste service was yet to be complete and it was thought bad financial practice to budget for an unknown amount.

During discussion, reference was made to:-

- a) providing dry recycling for 100% of properties within the South Hams. A non-Executive Member expressed the opinion that this was impractical in rural areas, especially when a number of communities had installed recycling banks. In response, an Executive Member noted that as all residents were Council Tax payers, the same service should be made available to all;
- b) the proposed supplementary budget of £290,000. A number of non-Executive Members were disappointed that the request for a supplementary budget had come so soon after the budget setting process. It was felt that although the figures were unknown at the time of the budget process, the Council needed to be open and transparent and therefore the public should have been aware of this proposed expenditure when the budget, and the resultant council tax rate, was set.

Furthermore, following a query, it was confirmed that if the Executive was minded to support the recommendation for a supplementary budget, then the £290,000 would be incorporated within the Council's base budget thereafter (subject to ratification at the full Council meeting of 8 May 2008);

- c) the importance of financial monitoring. Following a concern from a non-Executive Member, Members were assured that close monitoring of the waste collection budget would ensure that any future problems could be addressed within budget. Moreover, Members were reminded that the Council was currently scrutinising all budget heads to ensure they were fit for purpose;
- d) support for option C as outlined in the presented report;
- e) a weekly organic waste collection during the summer months. A non-Executive Member wished that this initiative be taken into consideration. However, it was noted that initial investigations had demonstrated that it would have a significant impact on budgets;
- f) confirmation that a communication plan was in place to ensure clear dissemination of information to the public in relation to changes to the round collection for domestic waste service.

#### **RECOMMENDED**

That the Council be **RECOMMENDED** that:-

- a) option C, as identified in the circulated report, be approved;
- b) a supplementary budget of £290,000 for Environment Services for 2008/2009 be approved and incorporated within the Council's base budget thereafter;
- c) delegated authority be given to the Strategic Director (Operations), in conjunction with the Strategic Director (Resources), to evaluate and make arrangements for the most cost-effective method of procurement for the future renewal of the fleet;
- d) the revised Vehicle Replacement Programme, as identified in appendix A to the circulated report, be approved.

**E.124/07 THE NEW DEVON LOCAL AREA AGREEMENT 2008 / 2011**

A report was considered which noted the work undertaken by the Council, in association with partners at both county and district level, in progressing the negotiations of the new Devon LAA 2008/2011 and to identify the main LAA priority actions that align with the Council's priorities. The LAA required the Council to consider its alignment with countywide (and broader) future implications. Although currently the LAA was seeking to align a range of future streams to address needs at a local level, it was likely that the LAA mechanism could produce additional funding in the longer term at the expense of those channels which currently existed. It was therefore important to consider aligning and emphasising rural LAA needs to ensure long-term future opportunities were not missed.

During discussion, specific reference was made to:-

- a) important issues which were not directly referred to in the LAA actions. The Executive accepted that a number of important concerns for the district were not directly referred to in the LAA, in particular the needs of young people. However, it was noted that a number of the LAA themes, such as LAA13 (maintain and increase levels of physical activity and sport), could be used to promote key issues affecting children and young people. A non-Executive Member, who was also the Member Champion for Children and Young People, although concerned that young people needs were not directly referred to in the LAA themes, was satisfied that the LAA could be used to contribute to improving facilities for children and young people. Furthermore, an Executive Member wished for the same concerns to be noted for the elderly people in the district. In response to these comments it was suggested that the Scrutiny Group invite both the Children's Trust and Age Concern to a future Scrutiny meeting to discuss issues;
- b) concern that funding for LAA themes could be re-directed to those areas in Devon which were perceived as being in greater need. Members therefore highlighted the importance of feeding into funding streams as they became available;
- c) an non-Executive Members' frustration that this process was overly bureaucratic and pulling resources away from essential services.

**RESOLVED**

That the Council's actions and resources be prioritised to achieve the most relevant LAA priority actions based on the Council's current six corporate priorities, its three cross cutting themes, and the key issues emerging from the Members' workshop about Council Priorities held on 23 November 2007.

**E.125/07 SOUTH HAMS STRATEGIC SWIM STUDY**

A report was considered on a strategic swim study which was undertaken for the Council to enable existing and proposed swimming pool provision to be considered. The scale of the Council's commitment to the strategic actions outlined in the study would require careful consideration as the provision of enhanced leisure facilities was not a Council priority, although there were existing and future asset management considerations. The report set out key recommendations from the South Hams Strategic Swimming Study and proposed actions to maintain and develop swimming provision across the district.

Prior to discussion on the report, the vice-Chairman **PROPOSED** an amendment to part (iii) of the recommendation as presented in the circulated report. It was felt that once Dartmouth Town Council's report on swimming provision in Dartmouth was made public, it would provide the basis for further discussion of all of the available options. Therefore it was felt that an amendment to the recommendation to incorporate up to £5,000 as a partnership contribution to support further feasibility or business planning work which may be required, to enable the community to achieve its' objectives should be included. This amendment was subsequently **SECONDED**.

During discussion, reference was made to:-

- a) the study commissioned by Dartmouth Town Council. An Executive Member, who was also a local ward Member for Dartmouth, informed those present of the overwhelming support in Dartmouth for improved swimming facilities in the town. Currently, use of the open air pool was high during the summer months and the need for a covered pool had been identified through the study. A non-Executive Member highlighted the importance of identifying how the running costs of such a pool would be covered. In response it was noted that a definitive business plan would be produced which would incorporate all key aspects of developing and maintaining such a swimming pool;
- b) the need to enhance pool provision at Ivybridge was highlighted.

It was then:-

**RESOLVED**

That the Executive:-

- i. accept in principle the Key Strategic Actions, as listed in the circulated report, identified by the South Hams Swim Strategy;
- ii. agree the funding of further detailed feasibility work up to a maximum of £5,000 from the Strategic Initiatives Reserve for the provision of an enhanced pool provision at Ivybridge;

- iii. support the investigation by Dartmouth Town Council of either potential improvements to the outdoor pool at Dartmouth, to enhance its use and to extend its season in partnership with the County Council, or to undertake appropriate next steps arising from the report commissioned by the Town Council relating to a new swimming pool, up to a maximum contribution of £5,000.

**(NOTE:** Cllrs Hewitt, May and Saltern abstained from vote on recommendation ii by virtue of them being local ward Members for Ivybridge; Cllr Bastone abstained from the vote on recommendation iii by virtue of him being a local ward Member for Dartmouth)

**E.126/07 CAPITAL PROGRAMME MONITORING REPORT**

Consideration was given to a report which enabled Members to monitor the Council's major capital schemes in terms of both cost and progress against timetable. It was noted that the current capital schemes were progressing in line with the approved programme and there were currently no areas presenting a cause for concern.

**RESOLVED**

That the report be noted and expenditure of the £330,000 Private Sector Renewal allocation from the Regional Housing Pot be approved.

**E.127/07 EXEMPTIONS TO STANDING ORDERS RELATING TO CONTRACTS, AND FINANCIAL INSTRUCTIONS**

Members considered a report which advised on the exemptions to the Standing Orders Relating to Contracts and Financial Instructions carried out since the previous Executive meeting, in accordance with the procedure approved by Council (minutes 70/07 and 49/07 refer). The report concluded by stating that the process for providing officers with approval for exemptions to the Standing Orders Relating to Contracts and Financial Instructions, in certain circumstances, provided more flexibility and the ability to react promptly to situations that arose.

**RESOLVED**

That the exemptions to the Standing Orders Relating to Contracts and Financial Instructions attached at Appendix B of the presented report be noted.

E.128/07 **REPORTS OF OTHER BODIES**

**RESOLVED**

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

**Community Policy Development Group – 13 March 2008**

**CPDG.21/07 Countryside Recreation and Access Strategy**

**RESOLVED**

That a further Countryside Recreation and Access Strategy was not required.

**CPDG.22/07 Review of Council's Compulsory Purchase Position Statement**

**RESOLVED**

That:-

- a) retention of the Council's existing Compulsory Purchase Position Statement in its current format be supported;
- b) supporting guidance from Government to promote the use of Compulsory Purchase Powers to address the needs and the well being of rural communities be requested.

**CPDG.23/07 Affordable Housing Review and Update**

Prior to taking a vote on this recommendation, the Executive Member with responsibility for Housing **PROPOSED** an addition to the recommendation to ensure that reports were brought to future meetings of the Executive which identified each proposed expenditure from reserves to deliver affordable housing projects. This was subsequently **SECONDED** and on being put to a vote declared **CARRIED**. It was therefore:-

**RESOLVED**

That:-

- a) the priority areas for action as set out in the presented report to the CPDG be endorsed;
- b) consideration be given to providing from existing reserves for further support to meeting the Council's number one priority of delivering affordable housing;

- c) reports in relation to b) above be presented to the Executive as and when proposals came forward for consideration.

**(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.123/07(WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING ON 8 MAY 2008) WILL BECOME EFFECTIVE FROM 5.00PM ON 21 APRIL 2008 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).**

(Meeting commenced at 10.00 am and concluded at 12.00 pm).

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Chairman