

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 10 JUNE 2010**

MEMBERS

* Cllr R J Tucker - Chairman

* Cllr P W Hitchins - Vice-Chairman

* Cllr H D Bastone

* Cllr B E Carson

* Cllr J D Hawkins

* Cllr M J Hicks

* Cllr M J Howarth

* Cllr M F Saltern

* Denotes attendance

Also in attendance and participating:

Cllrs K J Baldry, J H Baverstock, J Brazil, R J Carter, R F Croad, G J Fielden, D W May, J T Pennington, R Rowe, J W Squire and R C Steer

Also in attendance but not participating:

Cllrs J I G Blackler

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community), Senior Member Support Officer;

Item 7 (minute E.5/10 below refers): Head of Environment Services and Head of Landscape and Leisure; and

Items 12, 13 and 14 (minutes E.10/10, E.11/10, E.12/10 below refer): Head of Financial Services

E.1/10 MINUTES

The minutes of the meeting of the Executive held on 8 April 2010 were confirmed as a correct record and signed by the Chairman.

E.2/10 MEMBERS IN ATTENDANCE

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

Item 7 (minute E.5/09 below refers) – Cllrs Baldry, Baverstock; Brazil, Rowe and Squire

Item 8 (minute E.6/10 below refers) – Cllrs Baverstock, Croad and May;

Item 9 (minute E.7/10 below refers) – Cllrs Croad and Pennington;

Item 10 (minute E.8/10 below refers) – Cllr Squire;

Item 13 (minute E.11/10 below refers) – Cllr Croad; and

Item 15 (minute E.13/10 below refers) – Cllrs Baldry, Carter, Croad, Fielden, Squire and Steer.

E.3/10 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 Saltern declared a personal interest in Item 8 – ‘Ivybridge Youth Centre: Request for Financial Support’ (Minute E.6/10 below refers), as the local Ward Member. He remained in the meeting for the discussion on this item and abstained from taking part in the vote.

E.4/10 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.5/10 THE OUTCOMES OF THE DEVON ASSOCIATION OF PARISH COUNCIL'S REPORT ON DEVOLVED SERVICES AND THE STOKENHAM PILOT

Consideration was given to a report which sought a decision on the appropriate way forward for grounds and street maintenance within the district, to ensure the service level met the local community's expectations, in light of the Devon Association of Parish Councils (DAPC) Report outcomes and anticipated public sector budget cuts.

The Lead Executive Member for a clean environment introduced the report, and began by highlighting the considerable work and effort that had gone into this Pilot, particularly from Stokenham Parish Council. He supported the development of an implementation plan for closer partnership working with town and parish councils, and he believed that town and parish councils could raise their precept to improve the level of services according to local need. The Council had made considerable investment in street sweeping. It was proposed that officers be sent out to each town and parish council with three month plans for discussion.

During discussion, the following points were made:

- Many Members were disappointed that a number of town and parish councils either did not respond to the survey from the DAPC, or responded that they did not want to have services devolved to them;
- The local Ward Member was disappointed with the response to the survey, but not surprised, as he felt that the information supplied was inadequate. He was also disappointed that the report did not clearly relay the benefits of the Pilot and he believed that the Pilot had in fact saved the district council money. He urged the district council to allow Stokenham Parish Council to continue with the Pilot, or at least give recognition to them and discuss how to achieve an improved service;

- The Leader advised that, at the recent parish cluster meetings, a number of representatives from town and parish councils asked for front loading of services, i.e. above a base level of service provision the parish or town could 'buy in' more of a service, such as increased frequency of grass cutting, at an additional cost;
- The Head of Landscape and Leisure advised that, in tandem with the Pilot, an analysis of costs had been undertaken and officers were now better informed. The Head of Environment Services reminded Members that the Pilot was about improving services with the same resources, and whilst the district council may employ more resources, a larger area would be covered, making them more efficient;
- An Executive Member sympathised with the local Ward Member, and agreed that it was difficult for towns and parishes to make a decision without detailed financial information. He also wanted to know how option 3 of the presented report could be delivered, if the council was facing a 20% cut in central government funding;
- The Chief Executive stated that towns and parishes had a lot of local information, and officers would work in closer partnership with them to determine how best to spend available resources;
- A Member stated that very few parish councils felt they could afford to pay their clerk to undertake the administration that would be required, and a number of Members praised the Chairman and Clerk of Stokenham Parish Council for all their hard work and efforts. Another Member stated that a number of parishes within his ward felt it was a district council responsibility and that is where service provision should remain;
- A Member asked why, if the Pilot had cost money, it was continuing until 31 October 2010. In response, the Head of Landscape and Leisure advised that we were halfway through the grass cutting season and it would be logical to wait to its conclusion before we changed the arrangements;
- A Member advised that towns and parishes should be able to determine their own standards, and the council should not be following a national standard for the sake of a tick box exercise. Some towns and parishes may not want the same standard of service as other parishes and they should be able to decide what their parish looks like. The Leader responded that the council still had the responsibility for delivering a level of service;
- Another Member stated that devolving services was fine for those towns and parishes who wanted the principle of it, but precepts would ultimately increase, Council Tax would not decrease so there would be little point in pursuing.

Finally, an Executive Member said that Stokenham Parish Council had come out of this with a great deal of credit, but the unfortunate end result was that there were now more questions than answers on the subject of devolved services.

It was then:

RESOLVED

- a) That the lack of sufficient interest from groups of parish and town councils to take forward the Stokenham Pilot in a way that would make financial and organisational sense be acknowledged;
- b) That the interest of many parish and town councils in participating in the review of service specification and the monitoring of the services delivered be welcomed; and
- c) That approval be given to:
 - i. Option 3 for the improvement of street and ground maintenance delivery throughout the district, in light of the results from the DAPC Report and anticipated public sector budget cuts;
 - ii. The giving of notice to Stokenham Parish Council of the intention to terminate the present package of devolved services, with effect from 31 October 2010; and
 - iii. The development of an implementation plan for closer partnership working with town and parish councils in order to deliver improved street and grounds maintenance, with the plan to be reported back to the Executive for approval.

E.6/10

IVYBRIDGE YOUTH CENTRE: REQUEST FOR FINANCIAL SUPPORT

Consideration was given to a report which advised Members of a request for funding, and outlined the options available in response to this request. The Lead Executive Member's introduction explained the background to the report and advised Members of a number of issues raised by the request for financial support.

During discussion, the following points were made:

- The Local Ward Member advised that, in his opinion, the original loan was fundamentally flawed as the Trustees of the Youth Centre Action Group (YCAG) had no option but to sign the loan agreement;
- A Member, who was the Chairman of the Trustees at the time and therefore signed the agreement on their behalf, advised that there was disappointment around the decision to move the Youth Club site at the time. However, the Trustees were aware of the obligation they were undertaking when the loan agreement was signed;

- Concern from Members that changing the terms of this loan, either to a grant or to an interest free loan, would put pressure on the district council at a difficult time. This would be further exacerbated by other organisations with loans making similar requests;
- The Youth Centre had limited financial resources, partly as a result of the County Council withdrawing a specific stream of funding. District Council Members felt they could not be held responsible for replacing funding from the County Council. A County Council Member advised that the decision had since been reversed and resources would be replaced;
- The Member Champion for Children and Young People advised Members of the excellent work undertaken by the group, and that Ivybridge had been identified as a priority area for supporting children and young people, and therefore he requested that the option of converting to an interest free loan be considered.

It was then:

RESOLVED:

That the current loan arrangement be retained and no grant be offered.

E.7/10

MERGER OF LOCAL STRATEGIC PARTNERSHIP

A report was considered which detailed the action plan and the progress to date for merging the South Hams Local Strategic Partnership (SHLSP) with its West Devon Local equivalent.

The Lead Executive Member for Community Affairs introduced the report and the Leader advised that this may be one current statutory area that the Government would either remove or identify as discretionary.

The Strategic Director (Community) advised that South Hams District Council had struggled to get full engagement from all partners within the SHLSP, and as part of the proposed merger it was suggested that the approach followed by West Devon Borough Council (WDBC) be adopted. WDBC had made their Sustainable Community Strategy more relevant to the organisation by making it the Council's corporate plan. Engaging in the Partnership would result in partners help to support the Council's core priorities.

During discussion, the following points were made:

- One advantage of the proposed merger would be key stakeholders only attending one meeting not two;
- A Member raised concerns that the action plan indicated staff involvement in 'Stage Two – Development of Priorities', when he had been assured that the process would revolve around electors.

In response, the Chief Executive advised that in his experience at WDBC the input came from both and worked in a similar way to the Parish Clusters. In addition, the aspirations of the Police Authority and other stakeholders would have to be fitted in;

- The Strategic Director (Community) advised that the new joint Sustainable Community Strategy would be a corporate action plan in that it would be high level but specific projects and actions would fit underneath;
- Members' concerns included a need to monitor the size of the group and to reduce the overall number of liaison/board groups who were currently represented. One Member felt that the current Partnership was not sufficiently strategic, and another Member believed that the SHLSP added no value and questioned its cost over the last three to four years.

It was then:

RESOLVED

That the progress made be acknowledged and the principle of progressing the work to merge the South Hams Local Strategic Partnership with the West Devon Local Strategic Partnership be approved.

E.8/10

PARTNERSHIP WORKING ON PLYMOUTH ECONOMIC GROWTH AGENDA – A REFORM OF GOVERNANCE AND DELIVERY ARRANGEMENTS

A report was considered which advised Members of the decision on 13 April 2010 by Plymouth City Council's Cabinet, which gave 'in principle' approval for revised sub-regional arrangements in terms of partnership working and governance. Plymouth City Council had been considering a change in the current approach to enable partners to more effectively engage in sub regional issues. On 26 April, the City Council formally wrote to both South Hams District and West Devon Borough Councils to invite the participation of the two authorities as key partners in the delivery of the sub regional growth agenda.

The Leader introduced the report by stating that, for some time, the District Council had been pursuing the City Council to change the arrangements. Whilst he supported the paper in principle, there were risks that would need to be understood. Only one Member from each authority had been invited to sit on the Portfolio Holders Board, and a number of partnerships, such as the Eastern Corridor Board, would be disbanded.

The Strategic Director (Community) advised that for the new arrangements to work, then fair representation would be needed and issues within Plymouth must not dominate the proceedings. There was a risk of rural issues being lost to an urban focus.

During discussion, the following points were raised:

- A Member supported the new arrangements and recommended that the Leader be nominated to represent SHDC;
- A Member asked that a further recommendation be added to ensure that the new arrangements be closely monitored. This proposal was subsequently seconded and when put to the vote declared carried;
- The cultural difference between the Council and Plymouth City Council in terms of the relationship between Members and officers was recognised.

Finally, the Leader advised that SHDC could get left behind if it did not sign up to the new arrangements and therefore, had no option but to engage at an early stage.

It was then:

RESOLVED

1. That Council be **RECOMMENDED** that the Leader be appointed to serve on the Portfolio Holders Board to represent economic development, strategic housing and planning issues affecting the area and for the purposes of Member Allowances, attendance at meetings of this body be regarded as an approved duty; and
2. That the new arrangements be closely monitored to ensure that improved outcomes are achieved for both South Hams and West Devon and to ensure that any necessary adjustments to the structure are made to reflect emerging challenges.

E.9/10

PRIVATE SECTOR HOUSING RENEWAL POLICY UPDATE

A report was considered which updated Members and consolidated changes to the Private Sector Housing Renewal Policy resulting from implementation and changing market conditions.

The Lead Executive Member introduced the report, which clearly set out the changes made to the Policy, and offered to answer any questions. There were no questions forthcoming.

It was then:-

RESOLVED

That the Private Sector Housing Renewal Policy, as amended by the presented report and presented appendix 1 be adopted.

E.10/10 ANNUAL TREASURY MANAGEMENT REPORT 2009/10

A report was considered which informed Members of the results and performance of the Treasury Management activity undertaken in 2009/10.

In introducing the report, the Lead Executive Member advised that there had been no changes in the period outlined in the report. However, Members would soon see the loss of an interest break when an investment ended, and, since the downgrading of Spain as a country, any monies invested in the Santander Bank had been removed.

It was then:-

RECOMMENDED

That Council be **RECOMMENDED** to approve the Treasury Management activity for 2009/10.

E.11/10 EXEMPTIONS TO STANDING ORDERS RELATING TO CONTRACTS AND FINANCIAL INSTRUCTIONS

A report was considered which informed Members of the exemption(s) to the Standing Orders Relating to Contracts and Financial Instructions since the previous Executive meeting, in accordance with the procedure approved by the Council (minutes 70/07 and 49/07 refer).

The Lead Executive Member introduced the report and explained the exemptions as listed in the presented appendix.

The Lead Executive Member for Housing questioned the need for Devon Strategic Housing Group (DSHG) projects in view of the Government abolishing CAA. However, the Strategic Director (Community) explained that the work undertaken through the DSHG was not just about CAA and additional capacity would be crucial to respond to current work pressures, such as the Single Conversation.

In addition, the Chief Executive advised that officers had been told not to assume that funds would continue to be available and they must not spend unless there was a requirement.

Another Member, with experience of health and safety issues, questioned the need for this level of expenditure for water hygiene monitoring for the control of legionella. The Leader thanked him for his input as his experience was helpful, and advised that this would be reviewed.

It was then:-

RESOLVED

That the exemptions to the Standing Orders Relating to Contracts and Financial Instructions as appendix A and B of the presented report be noted.

E.12/10 WRITE OFF REPORT

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit, up to the value of £3,000, written off by the Head of Financial Services under delegated authority, and for those debts in excess of £3,000 for which permission to write off was sought.

The report concluded by reassuring Members that every effort was made to collect all debt owing to the Council, and that the decision to write off any amount was not taken lightly.

The Lead Executive Member introduced the report, and highlighted the reducing trend indicated by the presented figures. During the discussion, the Leader asked if the reducing trend could be as a result of the work of the council tax and benefits team. In response, the Head of Financial Services stated that the collection rates of 99% have held well which was a reflection on both the staff and the residents of the South Hams.

It was then:-

RESOLVED

1. That in accordance with Financial Regulations, the write-off of individual debts totalling £55,980.39, together with £8,178.06 of Non Domestic Rate Debt which is collected on behalf of the Government, as detailed in Tables 1 and 2 of the presented report, be noted;
2. That the write off of individual debts in excess of £3,000, as detailed in Table 3 of the presented report, be approved.

E.13/10 REPORTS OF OTHER BODIES

RESOLVED

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

a) Community Policy Development Group – 15 April 2010

CPDG.31/09: Draft Interim Housing Strategy 2010/11

The Chairman of the Community Policy Development Group introduced the minutes of the meeting, and a lengthy debate on the Sherford proposals ensued.

It was then:

RESOLVED

1. That the draft Interim Housing Strategy be approved for consultation; and
2. That following the consultation exercise, approval of amendments to the Interim Housing Strategy be delegated to the Strategic Director (Community), in consultation with the Lead Executive Member for Housing.

CPDG.33/09: Events on Council Property

RESOLVED

1. That clarification on definition of events, as set out in the presented report, be incorporated in the Council's procedures for organisation of events on Council property;
2. That clarification and justification of the required level of insurance be incorporated in the procedures for organisation of events on Council property, as outlined in paragraphs 12 to 14 of the presented report to the Group;
3. That the charges for events on Council property be incorporated in the procedures for organisation of events on Council property, as detailed in paragraphs 15 and 16 of the presented report to the Group;
4. That the requirements for separate licensing under the Licensing Act 2003 be clarified within the procedure for organisation of events on Council property, as set out in paragraph 17 of the presented report to the Group;
5. That the Council pursue a Premises Licence for Royal Avenue Gardens, Dartmouth, to cover the range of existing events undertaken at the Gardens;
6. That the criteria for considering commercial activity as part of Council events be set out in the procedures for organisation of events on Council property, as set out in paragraph 23 of the presented report to the Group, and

7. That Council be **RECOMMENDED** that where there is an outstanding concern over whether an event should be authorised, it is proposed that the matter be decided by the appropriate head of Service in consultation with the Monitoring Officer and the local Ward member (s).

b) Prosperity Policy Development Group – 28 April 2010

PPDG.34/09: Boat Park Operations – Strategy for the Future

The Chairman of the Prosperity Policy Development Group introduced the minutes, and an update was given on the situation in relation to the Boat Park Operations.

RESOLVED

1. That the Group has noted the report and the difficulties and risks being managed by the Council of the winter storage operation be acknowledged; and
2. That approval be granted to proceed with the proposal whereby the Council provide the service of winter storage at Shadycombe/Batson Car Park in house.

PPDG.36/09: Asset Strategy

RESOLVED

That the Prosperity Policy Development Group has noted the report and the Asset Strategy 2010 be approved.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.8/10 PART 1, E.10/10 AND E.13/10 PART 7 (WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING ON 15 JULY 2010) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 21 JUNE 2010 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00am and concluded at 12.50 pm).

Chairman