

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 4 SEPTEMBER 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 M J Hicks

* Cllr M F Saltern

* Denotes attendance

Also in attendance at the invitation of the Chairman:

Cllrs K J Baldry, J Brazil, R D Gilbert, M J Howarth, R M Lawrence and C M Pannell

Also in attendance but not participating:

Cllrs J I G Blackler and B F Cane

Officers in attendance:

All Agenda Items: Chief Executive, Strategic Director (Community) and Strategic Director (Operations) and Head of Finance;

Item 12 (minute E.42/08 below refers): Leisure and Recreation Officer;

Item 13 (minute E.43/08 below refers): Head of ICT;

Item 14 (minute E.44/08 below refers): Head of Environmental Health;

Item 17 (minute E.47/08 below refers): Head of Environment Services;

Items 19 and 21 (minutes E.49/08 and E.51/08 below refer): Affordable Housing Manager.

E.33/08 MINUTES

The minutes of the meeting of the Executive held on 10 July 2008 were confirmed as a correct record and signed by the Chairman.

E.34/08 MEMBERS IN ATTENDANCE

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

Items 7, 10, 12, 13, 14, 17 and 19 (minutes E.37/08, E.40/08, E.42/08, E.43/08, E.44/08, E.47/08 and E.49/08 below refer) – Cllr Brazil;

Items 11, 14 and 17 (minutes E.41/08, E.44/08 and E.47/08 below refer) – Cllr Pannell;

Items 12 and 17 (minutes E.42/08 and E.47/08 below refer) – Cllr Baldry;

Item 17 (minute E.47/08 below refers) – Cllrs Gilbert, Howarth and Lawrence.

E.35/08 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 H D Bastone declared a personal interest in item 15: 'Proposed Transfer of Land Adjacent to the Flavel Centre, Dartmouth' (minute E.45/08 below refers) by virtue of him being a local ward Member and remained in the meeting and took part in the debate but abstained on the vote for this item

E.36/08 PUBLIC QUESTION TIME

It was noted that no public questions had been received

E.37/08 MEDIUM TERM RESOURCE STRATEGY 2009/10 TO 2013/14

Consideration was given to a report which provided an updated forecast of the financial situation for the five year period to 2013/14. The forecast was intended to provide a framework within which decisions could be made regarding future service provision and council tax levels. The report noted that the Council had set out its key priorities for the medium term and that this forecast would provide the financial framework necessary for the consideration of service delivery and financial issues.

During discussion, a non-Executive Member highlighted the importance of questioning whether the Council continued to provide all of its current services in the existing way, or indeed it provided them all, as noted in the presented report. Furthermore, an Executive Member emphasised the importance of the Integrated Devon approach for savings, highlighting the role of town and parish councils in improving services.

RESOLVED

That the report be noted.

E.38/08 ANNUAL EFFICIENCY STATEMENTS – (GERSHON)

Consideration was given to a report which informed Members of the achievements to date in achieving government efficiency targets. The report concluded in stating that actions to date had resulted in substantial savings and the Council had exceeded the three year target. However, it was important to continue to strive for efficiencies for the Council to demonstrate it was a continually improving authority.

An Executive Member wished to extend his appreciation to officers for achieving these efficiencies.

RESOLVED

That the report be noted.

E.39/08 REVENUE BUDGET MONITORING 2008/2009

A report was considered which enabled Members to monitor the income and expenditure variations against the approved budget for 2008/2009. Although it was noted that the overall financial situation was satisfactory, evidence to date suggested that the national economic climate was having a negative effect on the Council's income generating activities.

RESOLVED

That the forecast income and expenditure variations for the 2008/2009 financial year be noted.

E.40/08 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.

In relation to the application for additional funding for the Housing Condition Survey, a non-Executive Member questioned whether in light of the current financial climate, this was an essential survey. In response, the Executive Member with responsibility for Housing informed those present that the survey enabled the Council to access certain grant funding streams.

RESOLVED

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

E.41/08 WRITE-OFF REPORT

Members considered a report that detailed the individual debts for all revenue streams, 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.

During discussion, Members requested that the Head of Financial Services inform the Executive Member with responsibility for Financial Affairs of the individual debts being written-off in order to monitor the overall deficit.

RESOLVED

- (i) that in accordance with Financial Regulations, the write-off of individual debts totalling £58,229.90 as detailed in Table 1 of the presented report, be noted;
- (ii) that the write off of individual debts in excess of £3,000, as detailed in Table 2 of the presented report, be approved.

E.42/08 FREE SWIMMING PROGRAMME (OVER 60's OFFER)

Members considered a report which described the background and summarised the Government's free swimming offer. It was noted that the Government was keen to encourage as many local authorities as possible to participate in making swimming free for those aged 60 and over or those aged 16 or under. Although the grant offer was only for the next two financial years, further allocation of monies from 2012 onwards would be subject to the next Government Spending Review. It was also the aspiration of the Government to move towards a universal free programme for the whole community.

During discussion, Members highlighted their support for this programme for free swimming for those aged 60 and over. Furthermore, Members also wished to express interest in the free swimming programme for those aged 16 and under, which the government had requested be submitted by 15 September 2008.

Following a query, it was also confirmed that the scheme was not restricted to residents of the district.

RESOLVED

That:-

1. the Council's participation in the Government's free swimming offer for financial years 2009/10 and 2010/11 be approved, subject to satisfying the grant conditions;
2. the necessary variations to the leisure contract to allow for the potential loss of casual swimming income be approved.

E.43/08

REVIEW OF MEMBERS' ICT PROVISION

Members considered a report which noted the outcomes of a Member/Officer review into the ICT provision for Members. The review had identified a number of opportunities connected with Members' use of ICT which included:-

- The provision of Smartphones which maybe appropriate for certain Member roles;
- Council email addresses were considered more professional and also provided a more responsible approach to information management and responsibilities under the Data Protection Act and Freedom of Information Act;
- Citrix provided an easy to deploy and secure solution for under £10,000;
- Laptops were considered to be an effective longer term investment, once certain uncertainties were resolved;
- The need for Members' ICT training.

During discussion, the importance of training Members in the use of this technology was highlighted, including the importance of the risks to the Council in relation to security. Furthermore, a non-Executive Member, who was also Chairman of the Salcombe Harbour, felt that a Smartphone would be useful for the role of Harbour Board Chairman due to the amount of correspondence received, and the importance of being contactable.

RESOLVED

- a) That the outcome of the review be noted;
- b) That the purchase of software to support Members' remote working as outlined in this report at a cost of £9,080, funded from the IT Development Reserve, and £800 annually built into the revenue budget be approved;

- c) That the purchase of the Smartphones for 11 Members, as outlined in the presented report, at a cost of £3,080, funded from the IT Development Reserve, and £1,600 annually built into the revenue budget be approved;
- d) That officers be instructed to develop a policy for the provision and use of Smartphones by Members;
- e) That the Council be **RECOMMENDED** to discontinue the use of Members' own personal email accounts for Council business by 31 December 2008 and replace them a formal cllr.xxx@southhams.gov.uk address.

E.44/08

INSTALLATION OF EMERGENCY GENERATOR – FOLLATON HOUSE

Members considered a report which sought Members' views on the level of provision that should be made with respect to an emergency generator at Follaton House. It was essential that the Council had adequate Business Continuity plans in effect to ensure that it could continue not only to respond to civil emergencies but also able to continue to deliver essential services. However, a balance needed to be drawn between the costs involved in covering such contingencies and the likelihood of them arising.

In presenting the report, the Executive Member who oversaw Environmental Health issues, highlighted option 5 as his preferred option. This would rely on Western Power to supply a generator when required and would result in no action to be taken at present. It was extremely unlikely that there would be a sustained power outage at Follaton House and if a Civil Emergency happened to coincide at the same time as a power outage then, alternative arrangements were already in place through the Council's Business Continuity Plan to relocate to an alternative site.

Following a query, Members were assured that the Council was a category 1 respondent and would therefore expect priority from Western Power. However, a non-Executive Member suggested contacting Western Power to ensure that they had the capacity to deal with a large scale power outage.

RESOLVED

That the listed options have been evaluated and it be determined that option 5, as outlined in the presented report, be appropriate for the level of provision of emergency power generation for the Follaton site.

E.45/08 **PROPOSED TRANSFER OF LAND ADJACENT TO THE
FLAVEL CENTRE, DARTMOUTH**

Consideration was given to a report which informed Members that although the Council was the registered Proprietor to Title No. DN536894, this small parcel of land was, in fact, the access ramp to the Flavel Centre and was the subject of a Stopping Up Order dated 4 January 2008. Devon County Council's Solicitors had stated that under a Building Agreement which was completed in 2003, the Stopped Up land was unregistered, and at the time it was believed it would revert to the County Council. The County Council was now seeking to have this land transferred to itself (at a nominal consideration of £1) so that legal formalities could be completed.

RESOLVED

That the land be disposed of as set out in the presented report.

E.46/08 **COMMUNITY POLICY DEVELOPMENT MINUTES – 6 JULY
2007**

Consideration was given to a report which informed Members that the Community Policy Development Group minutes from its meeting of 6 July 2007 had recommendations which were subsequently not presented to the Executive for consideration. The report therefore sought the Executive's approval of these minutes.

RESOLVED

That the recommendations arising from the minutes of the Community Policy Development Group meeting held on 6 July 2007 be approved.

E.47/08 **CONCESSIONARY CAR PARKING FOR RESIDENTS**

Members considered a report which brought together the comments received from the Prosperity Policy Development Group (minute PPDG.4/08 refers) concerning the matter of residents' car parking and an examination of the opportunities for introducing some form of discounted off street car parking that met the needs of the residents of South Hams without placing a financial burden onto the council tax payer. The Council was keen to support the initiative although it was difficult to put a value on its cost. For that reason, the report contained a number of comments in relation to various assumptions made. Careful monitoring of income levels would be required to ensure the initiative did not become a financial burden to the Council.

The report identified three options which Members may wish to consider:-

- Option 1 – Concessionary parking before 1000 hrs and after 1600 hrs;
- Option 2 – Concessionary parking at any other time two hour periods during the day;
- Option 3 – Concessionary parking after 1800 hrs.

A non-Executive Member, who initiated the proposal for 'free' car parking for residents' highlighted the additional paper which he had produced and circulated to Members. The paper outlined the proposal made which was for every resident household to be given one permit to park for free up to 10.00am and after 4.00pm everyday. An estimated cost of this proposal had been determined at £218,000 which, it was suggested, could be recovered by a 10% increase on car parking fees for non residents or those who used the car parks at other time. Furthermore, it was felt that Sunday parking should be free for residents all day on non-beach car parks. The non-Executive Member then proceeded to inform the Executive that charging for the permits would not generate significant uptake and that residents should be obtaining a benefit from the Council.

During discussion, specific reference was made to:-

- a) providing the scheme for 'free' to residents. An Executive Member, although in favour of the initiative, had concern with providing it to residents at no additional up front cost. It was felt that the shortfall in income this scheme could create, would need to be supplemented somehow. However, recovering the costs by a 10% increase on car parking fees would penalise visitors and those residents who needed to visit the towns during the daytime hours. In support of this, a fellow Member felt that a £20 charge was too excessive and that £10 appeared more suitable to encourage uptake of the scheme. Furthermore, it was felt that in charging for the scheme, residents would have to apply for the permit which would provide the Council with clear data on the uptake of the scheme and would ensure that car registrations were included on the permits for enforcement reasons;
- b) support for option 1 of the scheme.
- c) the importance of the scheme being for a trial 12 month period. Members felt that by implementing the scheme as a trial in its initial stages was important to ascertain better understanding of the financial implications. However, the difficulties of withdrawing the scheme if the trial was unsuccessful was highlighted;

- d) the current Ivybridge scheme. Members commented on the recent scheme which had been implemented in Ivybridge (through Tescon Section 106 monies) to offer free off-street car parking for a two hour period in an attempt to increase footfall in the town. It was felt that if Members were minded to support a concessionary car parking scheme across the district, the Ivybridge scheme should be extended until the implementation of the new scheme to ensure continuity in Ivybridge;
- e) a resident's loyalty card initiative. As an aside, Members felt that the suggestion of a residents' loyalty card scheme, to offer local people the opportunity to gain discounts and to encourage them to buy local products/services, should be investigated;
- f) a non-Executive Members concern that the times were too restrictive in terms of shop opening and closing times. Concern was expressed that with the scheme only being before 10.00am and after 4.00pm there was not sufficient shopping hours available;
- g) clarification on the operating times for option 1. Following a query Members were informed that this option was only from between 0800 to 10000 hours and 1600 to 1800 hours. Members raised concern that this was not implicit in the report and that they had understood option one to include after 1800 hours as well. Therefore, Members felt it was important to incorporate this element of option 3 into the recommendation.

Following discussion, an amendment to the recommendation was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**. It was then:-

RESOLVED

- a) That consideration has been given to the principle of introducing a concessionary car parking scheme for residents;
- b) that options1 and 3 combined (as outlined in the presented report) be the preferred option;
- c) That the Council be **RECOMMENDED** that a charge a £10 per permit be agreed;
- d) That the Council be **RECOMMENDED** that the scheme be introduced for a trial period of twelve months, subject to the necessary consultation and publicity process;
- e) That the provision of a residents loyalty card be investigated during the twelve month trial period;

- f) That the current Ivybridge Section 106 Agreement which currently provides free car parking in Ivybridge be continued until implementation of the above concessionary car parking scheme.

E.48/08 **REPORTS OF OTHER BODIES**

RESOLVED

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

Prosperity Policy Development Group – 22 July 2008

PPDG.4/08 Residents Car Parking

RESOLVED

That the various options have been considered.

PPDG.5/08 Lower Ferry Monitoring Report

RESOLVED

That the overall performance of the Lower Ferry service be noted and be deemed satisfactory.

**PPDG.6/08 Employments Estates Review -
Proposals**

RESOLVED

That the progress made on the implementation of the Employment Estate rationalisation be noted.

E.49/08 **SOUTH HAMS SUB MARKET RENT INITIATIVE**

Consideration was given to a report which sought approval for an initiative to deliver additional intermediate affordable housing within the district in accordance with Corporate Priority 1 (Affordable Housing). The proposed initiative was a direct response to an identified need and took forward one of the strategic recommendations of the recent Housing Market and Needs Assessment (HMNA). It applied existing ring-fenced resources for affordable housing in an efficient and sustainable way and would directly contribute towards the achievement of the Council's Corporate Priority 1.

Reference was made to the section of the presented report that the proposal should run initially as a pilot. In view of the economic circumstances and the downturn in new affordable housing completions, the Executive agreed to the expansion of the scheme in principle wherever the opportunity arose.

RESOLVED

- 1) That the proposed scheme, in partnership with an appropriate housing provider, be approved;
- 2) That, in view of the economic circumstances and the downturn in new affordable housing completions, expansion of the scheme be agreed wherever the opportunity arose.

E.50/08 EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.51/08 DISPOSAL OF 10 HERMITAGE ROAD, DARTMOUTH

Consideration was given to a report which sought approval for the disposal of 10 Hermitage Road, Dartmouth.

RESOLVED

That the disposal of 10 Hermitage Road, Dartmouth to Dartington Housing Association be approved.

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON 15 SEPTEMBER 2008, WITH THE EXCEPTION OF E.43/08 (e) AND E.47/08 (c) AND (d) WHICH ARE RECOMMENDATIONS TO THE FULL COUNCIL MEETING ON 25 SEPTEMBER 2008, UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.10 pm).

Chairman