

**MINUTES OF A MEETING OF THE EXECUTIVE  
HELD AT FOLLATON HOUSE ON THURSDAY, 29 MAY 2008**

**MEMBERS**

\* Cllr R J Tucker - Chairman

\* Cllr P W Hitchins - Vice-Chairman

* Cllr N A Barnes	∅ Cllr T J Hewitt
* Cllr H D Bastone	* Cllr M J Hicks
* Cllr B E Carson	* Cllr M F Saltern

\* Denotes attendance

∅ Denotes apology for absence

Also in attendance at the invitation of the Chairman:

Cllrs K J Baldry, J H Baverstock, J Brazil, R F Croad, G J Fielden, D W May, C M Pannell and R C Steer

Also in attendance but not participating:

Cllrs J I G Blackler, B F Cane and M Stone

Officers in attendance:

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

Item 7 (minute E.5/08 refers) – Acting Head of Property Services;

Item 8 (minute E.6/08 refers) – Acting Community Development Officer;

Item 9 (minute E.7/08 refers) – Enabling and Development Officer;

Item 10 (minute E.8/08 refers) – Head of Environment Services and Economic Development Officer;

Item 11 (minute E.9/08 refers) – Head of Environmental Health;

Item 13 (minute E.11/08 refers) – Internal Audit Manager.

**E.1/08 MINUTES**

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

**E.2/08 MEMBERS IN ATTENDANCE**

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

Items 8, 9 and 10 (minutes E.6/08, E.7/08 and E.9/08 below refer) – Cllr Brazil;

Items 9 and 10 (minutes E.7/08 and E.8/08 below refer) – Cllrs Croad, May and Pannell;

Items 8 and 10 (minutes E.6/08 and E.8/08 below refer) – Cllr Baldry;  
Item 10 (minute E.8/08 below refers) – Cllr Fielden;  
Item 12 (minute E.10/08 below refers) – Cllr Baverstock;  
Item 16 (minute E.14/08 below refers) – Cllr Steer.

**E.3/08           DECLARATIONS OF INTEREST**

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

**E.4/08           PUBLIC QUESTION TIME**

It was noted that no public questions had been received.

**E.5/08           ASSET STRATEGY 2008**

Consideration was given to a report which provided an update of the Asset Strategy 2006 which was an amalgamation of the previous Asset Management Plan and Capital Strategy. The updated Strategy provided enhanced linkages between what the Council was doing to maximise the use of its assets to meet priorities and how this fitted with the Council's financial plan.

The Asset Strategy 2008 pulled together a number of policies and initiatives and provided an update on the current 2006 addition. Moreover, the importance of ensuring that assets were seen as a critical part of the Council's resources was clearly recognised.

**RESOLVED**

That the Asset Strategy 2008 (as set out in Annex 1 of the presented report) be approved.

**E.6/08           COMMUNITY GRANT FUND REVIEW**

A report was considered which reviewed the eligibility criteria of the Community Grant Fund. The report concluded that expanding the Community Grant Fund's eligibility criteria to include the Council's cross-cutting themes would enable the Fund to support a wider range of community projects across the district.

During discussion, specific reference was made to a non-Executive Member's disappointment that the locality budget proposal which was put forward during the 2008/2009 budget process had not been initiated. Moreover, it was felt that project appraisal procedure was undemocratic due to it being an officer based process. In response, the Executive Member with responsibility for Community Affairs informed those

present that the use of a locality budget had been investigated and it had been deemed that the available funds would be too insubstantial to enable scheme of significance to be supported. Furthermore, officers advised that local Members had always been engaged during the process of allocating Community Grant funding to projects, and there was no change proposed to the current decision making process.

## **RESOLVED**

That:-

- a) the expansion of the Community Grant Fund's eligibility criteria to include the Council's cross cutting themes, as set out in paragraph 5 of the presented report be approved;
- b) a weighting for the Prioritisation Scoring Mechanism of x3 for each of the cross-cutting themes be approved;
- c) a deferred application deadline of 29 August 2008 for the next funding round be approved to provide time for applicants to develop projects which meet the new criteria.

E.7/08

## **PROPOSED HOUSING CAPITAL PROGRAMME EXPENDITURE 2008-09**

Consideration was given to a report which updated Members on the current position of two schemes within the South Hams, Belmont Villa, Ivybridge and Bishops Court, Newton Ferrers. The report also requested that Members consider providing the required capital and revenue support from second homes council tax to enable the schemes to be progressed.

The report noted that the scheme for Belmont Villa would provide much needed supported housing for vulnerable teenage girls who may otherwise be placed in bed and breakfast, or in similar accommodation schemes outside of the district. The scheme for Bishops Court was originally conceived by the community and progressed as a partnership between Signpost Housing Association (SHA) and the Council. There was a need for rented extra care units in Newton and Noss and surrounding parishes. Officers therefore supported SHA's request for a funding contribution towards the conversion of two open market flats into the tenure of social rented housing.

During discussion, it was evident that in association with the scheme for Belmont Villa, Members were disappointed that Devon County Council (DCC) had requested back the original money provided, due to the

house no longer being required for mental health service users in the South Hams. The DCC Members present at the meeting were also surprised at the occurrence and advised that they would seek to attempt to reverse the decision. In light of these comments, an Executive Member suggested deferring making a decision on funding the scheme to establish whether the DCC Members could reinstate the funding stream. However, officers felt strongly that funding needed to be released in order to secure Belmont Villa for such a use. This would not prevent discussions from continuing with DCC in an attempt to reimburse the Council's finances.

Members were also concerned that DCC Members had not been kept informed of this scheme and its associated difficulties.

It was then:-

### **RESOLVED**

That:-

1. second homes council tax monies of £200,000 be used as an equity loan to retain Belmont Villa, Ivybridge for use as a teenage pregnancy supported accommodation scheme;
2. second homes council tax monies of £75,000 (£25,000 per annum for 3 years) be used towards the revenue support costs at Belmont Villa (with support to be provided by Young Devon);
3. second homes council tax monies of £145,000 be used to enable the remaining two unsold extra care flats at Bishops Court, Newton Ferrers to be converted to social rented accommodation.

E.8/08

### **VITALITY OF IVYBRIDGE – USE OF SECTION 106 FUNDING**

Consideration was given to a report which sought approval to establish a parking scheme incentive for a limited time daily for the five months from June to October 2008 to support the vitality and viability of Ivybridge town centre, making use of available section 106 (s106) funding. The proposal in the report intended, with an implicit degree of public relations activity by relevant stakeholders, to incentivise stakeholders (not least the general public) to reconsider their attitudes towards patronage of Ivybridge as a shopping destination. This message needed to be tempered with an acknowledgment that efforts were underway to persuade traders and property owners that a general improvement to the retail offering was essential to underwrite the success of the proposed scheme.

During discussion, particular reference was made to:-

- a) proposed option 3 of the presented report. Members were advised that option 3 was the preferred option. However, it was suggested that if Members were minded to support this proposal, it could be beneficial to restrict parking between the hours of 10.00am and 2.00pm to a maximum period of two hours to ensure a regular turn over of visitors;
- b) the importance of the Tesco Section 106 monies to improve the vitality of Ivybridge Town Centre;
- c) the suggested five month temporary period. A non-Executive Member expressed concern as to whether 5 months would be a sufficient amount of time to increase usage of the town centre, questioning whether a 10 month trial could be more beneficial. In response it was noted that the Prosperity Policy Development Group would be considering a report on concessionary car parking proposals across the district, which, if implemented, could also benefit Ivybridge Town Centre. Moreover, after the initial 5 month period, the situation could be reviewed and extended if considered successful;
- d) monitoring the usage of the car park. Following a query it was confirmed that, users would still be required to obtain a ticket to enable the Council to monitor the usage of the car park and, moreover, if Members were minded to amend the recommended option 3 to incorporate a two hour time limit, it would enable enforcement of that element.

Following discussion, Members agreed that a two hour limit would be beneficial and therefore it was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**.

It was then:-

### **RESOLVED**

That:-

- i) the issues and options set out in the presented report in order to support the improvement of vitality for Ivybridge Town Centre were considered;
- ii) option 3 as a temporary parking incentive scheme for Ivybridge for 5 months ending 31 October 2008 be agreed with a two hour time limit for parking;
- iii) the preferred option be funded from the £72,822 balance of the Tesco s106 funding.

**E.9/08 HOUSE CONDITION SURVEY**

Consideration was given to a report which sought Members approval for the funding and commissioning of a Housing Condition Survey in line with statutory requirements. It was noted that there was a duty on the Council to inspect its housing stock.

**RESOLVED**

That the funding and the commissioning of a Housing Condition Survey as detailed in the presented report be approved.

**E.10/08 DEVON CHILDREN AND YOUNG PEOPLE'S PLAN –  
IMPLICATIONS FOR SOUTH HAMS DISTRICT COUNCIL**

Members considered a report which advised on the Devon Children and Young People's Plan (CYPP) and its implications for the Council. The Council was under a statutory obligation to be a key partner in the delivery of the CYPP for the children and young people of the district. The CYPP set a framework to improve their well being, support those building better lives and keeping them safe, happy, healthy and secure.

During discussion, the Member Champion for Children and Young People wished to extend his thanks to the staff for their hard work on the issues involved in the plan. The Executive also wished for it to be noted that the Member Champion for Children and Young People had also worked hard in bringing issues forward for the Council's attention and congratulated him for his work.

**RESOLVED**

That:-

- i) the contents of the Devon Children and Young People's Plan as summarised in Appendix A to the presented report be noted and support in principle be agreed to the priority projects where South Hams District Council had an identified 'Duty to Comply';
- ii) delegated authority be given to the Strategic Director (Community) to action appropriate responses to projects which align with Council priorities and the cross cutting themes, where financial constraints allow.

**E.11/08 CODE OF CORPORATE GOVERNANCE 2008**

Members considered a report which set out the principles of a Code of Corporate Governance, and described South Hams District Council's intention to discharge its responsibilities under the code, and how the code would be tested and monitored annually. Overall, the responsibility for Governance rested with the Council, but monitoring compliance with the code would be carried out on behalf of the Council by the Section 151 Officer, Monitoring Officer and the Internal Audit Manager who would report annually to the Audit and Standards Committees.

**RESOLVED**

That the Code of Corporate Governance as attached at Appendix 1 of the presented report be adopted.

**E.12/08 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.

**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.13/08 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.

**RESOLVED**

- (i) that in accordance with Financial Regulations, the write-off of individual debts totalling £53,291.88 as detailed in Table 1 of the presented report, be noted;
- (ii) that the write off of individual debts in excess of £3,000, together with the write off of stock notionally valued at £3888 as detailed in Table 2 of the presented report be approved.

E.14/08      **REPORTS OF OTHER BODIES**

**RESOLVED**

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

**Scrutiny – 24 April 2008**

**SC.59/07 Section 106 Progress Update**

**RESOLVED**

- a) that Scrutiny considered the report and was satisfied that the Section 106 Agreements were being monitored;
- b) that interest generated on the Section 106 monies received be ring fenced and retained for Section 106 projects.

**Development Planning Steering Group – 24 April 2008**

**3. Review of Local Development Framework Programme**

**RESOLVED**

- a) that a revised Local Development Scheme (LDS) be approved;
- b) that changes to the LDS be formally submitted to the Planning Inspectorate for agreement and to the Government Office for the South West for approval at such later time as Government may advise; and,
- c) the precise LDS programme for the constituent LDF documents be delegated to the Head of Community Regeneration in consultation with the Leader, Deputy Leader and a nominated Member from the Minority Group.

## **Community Policy Development Group – 22 May 2008**

### **CPDG.3/08 Public Space Strategy – Progress, Priorities and Funding**

Members were informed that the Chairman of the Community Policy Development Group (CPDG) had advised that under (e) of the presented minutes, it be noted that it should be 'recommended' works in relation to Action Plan 2 (and not Action Plan 1 as the minutes currently stated).

During discussion on the item, the Executive informed those present that there was already £600,000 available for works on public spaces as identified in the Council budget. Although in principle the Executive supported the recommendation of £2,250,000 to be made available for public spaces works, it was felt that the release of the money needed to be addressed in the context of the comprehensive corporate capital programme and in association with any other funding bids. It was the intention of the Executive to consider a report on expenditure of the corporate capital programme which this recommendation would be part of. Therefore an amendment to the presented recommendation was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED**.

It was then:-

#### **RESOLVED**

- a) that £600,000 be released for public space works;
- b) that consideration of further funding be considered at a future meeting of the Executive in the context of the corporate capital programme;
- c) that the capital programme priorities as presented in the document 'Public Space – Proposed Capital Projects 2008-2011 (version 3)' be adopted, and revenue savings be sought;
- d) that the Public Space Working Group monitor progress on delivery of the capital projects and decisions on any variance in the programme be delegated to the Head of Landscape and Leisure in consultation with the appropriate lead Executive Member.

**CPDG.5/08 Planning Obligation Supplementary Planning Document Draft**

**RESOLVED**

- a) that the draft Planning Obligations SPD be approved for publication for consultation purposes; and
- b) that the final changes to the draft Planning Obligations SPD be delegated to the Head of Community Regeneration in consultation with the Leader, Deputy Leader and a nominated Member from the Minority Group.

**CPDG.6/08 Revised Policy for Deposit Guarantee, Cash Deposit and Rent in Advance Schemes**

**RESOLVED**

- a) that the revised policy for the issuing of Deposit Guarantee, Cash Deposits and Rent in Advance be adopted; and
- b) that the liability funding for Deposit Guarantee be increased from the existing £20,000 to £40,000.

**CPDG.7/08 Direction of Housing Advice Services Update Report**

**RESOLVED**

That the Community Policy Development Group noted the report and commented on its contents.

**(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON 9 JUNE 2008 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).**

(Meeting commenced at 10.00 am and concluded at 11.55 am).

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Chairman