

**MINUTES OF A MEETING OF THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 22 JULY 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

∅ Denotes apology for absence

Also in attendance and participating:

Cllrs I Longrigg, C M Pannell and J W Squire

Also in attendance but not participating:

Cllrs R J Carter and G J Fielden

Officers in attendance:

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

Item 7 (minute E.18/10 below refers): Acting Community Development Officer;
Items 8, 9 and 10 (minutes E.19/10, E.20/10 and E.21/10 below refer): Head of Property Services; and

Item 11 (minute E.22/10 below refers): Head of Development Management

E.14/10 MINUTES

The minutes of the meeting of the Executive held on 10 June 2010 were confirmed as a correct record and signed by the Chairman.

E.15/10 MEMBERS IN ATTENDANCE

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

Item 8 (minute E.19/10 below refers) – Cllrs Pannell and Squire;
Item 9 (minute E.20/10 below refers) – Cllrs Longrigg and Pannell;
Item 10 (minute E.21/10 below refers) – Cllr Longrigg; and
Item 11 (minute E.22/10 below refers) – Cllr Pannell.

E.16/10 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 Longrigg declared a personal interest in Item 9 – Potential Option Agreement affecting land at Park and Ride Site, Dartmouth, (minute E.20/10 below refers), by virtue of having an interest in the possible alternative site for the Park and Ride.

Cllr Saltern declared a personal interest in Item 10 – Disposal of land at Green Banks Lane, Slapton, (minute E.21/10 below refers), by virtue of him being a Trustee of Tor Homes.

E.17/10 PUBLIC QUESTION TIME

It was noted that no public questions had been received.

E.18/10 ANNUAL REPORT ON THE SUSTAINABLE COMMUNITY LOCALITY FUND

Consideration was given to a report which updated Members on projects funded through the Sustainable Community Locality Fund. The Lead Executive Member for Community Affairs introduced the report by explaining the background of how the fund was set up. Appendix A showed that allocated grant monies of just over £26,000 had supported projects costing just under £500,000. The Acting Community Development Officer reminded Members that the figure of £26,000 was for 2009/10 and that a further £1,000 was available to Members for 2010/11. Members were however under no obligation to spend their fund each year, and the monies could be rolled forward.

During discussion, the Leader expressed surprise that more money had not been allocated to projects to date. The Deputy Leader added that the offer of support often led to further fundraising efforts and the grant support was not always required. Finally, a Member asked that the Fund be publicised again to remind Members that it was available to assist projects within their wards.

It was then:

RESOLVED

That the projects that have benefited from Sustainable Community Locality Funding in 2009/10 and have been funded so far for 2010/11 have been reviewed in accordance with Minute E.111/08(d).

E.19/10 CAPITAL PROGRAMME MONITORING REPORT

Consideration was given to a report which advised Members of the progress to the approved capital programme for 2009/10 to 2011/12, agreed at Council on 4 February 2010 (Council minute 82/09 refers).

The Lead Executive Member for Prosperity introduced the report and drew Members attention to three areas in particular. The first was the progress in relation to Ivybridge Swimming Pool, where officers, together with Tone Leisure, were investigating options to create a joint venture with a private sector investor to regenerate the whole or part of the Leisure Centre to deliver enhanced swimming and sport facilities for the community.

The second area of note was the investigation of opportunities to generate further revenue as a consequence of potential capital investment at Burke Road, Totnes. The proposal was to demolish an existing building and replace it with three small purpose built employment units, for which there was evidenced demand. Members were reminded that our overall letting rate was currently in excess of 93%.

The third area related to Follaton House and the forthcoming refurbishment of the exterior of the building. The Lead Executive Member reminded Members that the building was listed and therefore, the Council had a statutory obligation to keep it in good repair.

During discussion, the following points were made:

- A number of Members raised questions in relation to Ivybridge Pool. The Leader asked that the position regarding the funding be made clear, as he had received correspondence which indicated confusion over the cost of the pool refurbishment against the cost of a new state of the art centre. Another Member asked that Members be advised of the freehold value of the leisure centre as an asset, because if it were to be transferred to a new organisation it would have to be appropriately accounted for;
- The Head of Property Services confirmed that, whilst there was demand across the district for start up employment units, there was the opportunity in Totnes to assist in meeting this need;
- In relation to Follaton House, a Member asked if we really had received good value from the previous redecoration as it had taken place in 1991 but the building had looked in a poor state for some time. In response the Lead Executive Member responded that previously, money spent on public buildings was not thought appropriate, although this train of thought did not account for listed buildings which authorities had a duty to maintain;
- A Member asked if monies were set aside for the maintenance of Follaton House. In response the Head of Property Services confirmed that this was the case, and added that the refurbishment was subject to a tender exercise.

It was then:

RESOLVED:

1. That the Head of Property Services be instructed to present to a future meeting of the Executive, a business case for the appointment of specialist advice to pursue the creation of a joint venture, or similar, for the regeneration of Ivybridge Leisure Centre; and
2. The Head of Property Services and the Head of Financial Services, in consultation with the Executive Portfolio Holder for Prosperity, be given delegated authority to approve the business case for the rebuilding of the employment units at Burke Road, Totnes and if so advised, to make a recommendation to Council to add the project to the current capital programme.

E.20/10

POTENTIAL OPTION AGREEMENT AFFECTING LAND AT PARK AND RIDE SITE, DARTMOUTH

A report was considered which sought agreement 'in principle' to enter into a land disposal option agreement which will help facilitate the delivery of 'The Vision for Dartmouth' to create a new community hub at Townstal, Dartmouth.

The Lead Executive Member for Prosperity introduced this item, and the Head of Property Services clarified that the recommendation in the presented report should refer to replacement site and enhanced park and ride facility.

During discussion, the following points were made:

- A number of Members felt it important that, once the masterplan for the area was produced, that all Members were in receipt of copies. It was agreed that the Head of Property Services would send it to all Members, and if any difficulties arose then it could be referred to a decision making body;
- The Leader reported that he had received a number of positive comments in relation to the existing park and ride service. This was echoed by other Members. However, one Member was disappointed that the buses were not being used to advertise the Lower Ferry via signage at the rear. In response, the Strategic Director (Resources) stated that he would look into this matter;
- There was general support for the proposals so far in relation to the 'Vision for Dartmouth', although a Member expressed concern over the town becoming a two centre town and added that it would be important to keep the link between the top of Dartmouth and the bottom;

- Another local Member added his support, but was concerned about the impact on Dartmouth of the loss of existing tourism facilities on the proposed new site.

It was then:

RESOLVED

That, in principle, the land, as set out in the background documents to the presented report, be disposed of to the promoting developer for the purposes of delivering the new community hub as proposed in Proposal D1 of the Dartmouth Site Allocations Development Plan Document (Publication Stage), subject to a suitable alternative site for an enhanced park and ride facility being provided.

E.21/10 DISPOSAL OF LAND AT GREEN BANKS LANE, SLAPTON

A report was considered which outlined proposals for an affordable housing development by Tor Homes on land currently owned by South Hams District Council at Green Banks Close, Slapton. The site was currently used as open space adjacent to Tor Homes properties at Green Banks Close, Slapton.

The Lead Executive Member for Prosperity introduced this item, and the Leader added that there had been a longstanding need for development in Slapton. A number of Members congratulated the Parish Council and the Parish Clerk for all their hard work and effort in bringing this scheme to fruition.

It was then:

RESOLVED

1. That in principle, land as outlined in Appendix A of the presented report be disposed of at a nominal consideration of £1 to Tor Homes to be developed for affordable housing for local people, subject to the granting of planning permission; and
2. That the proposed disposal of the public open space, as identified in Appendix A of the presented report, be advertised in accordance with the requirements of s123 (2a) of the Local Government Act 1972 and any responses be reported back to a subsequent meeting of the Executive for consideration.

E.22/10

REVIEW OF CHARGING FOR PRE APPLICATION PLANNING ADVICE

A report was considered which reviewed the charges for pre application planning advice in light of feedback from agents and outcomes from the Vanguard work.

During discussion the following points were raised:

- A Member asked if, under the new Government, the charging regime would continue. In response, the Head of Development Management advised that he had heard nothing to the contrary and if there were any changes he would expect there to be local discretion;
- A Member asked if the new rates fitted into the pattern of charging generally in Devon. In response, the Head of Development Management advised that there was a big variation in charges, both across the country and across the county, and he hoped that the Council was taking a well balanced position. The Council would be the first authority to charge for pre application Householder and Listed Building advice, but these queries could be time consuming and the fees would be tailored to the nature of the work;
- A Member asked if the Development Management service was meeting resistance in asking for pre application fees, as anecdotally he had heard that it was not money well spent as it did not guarantee approval of an application. The Head of Development Management responded that there was a mixed picture. Some agents were happy to pay pre application fees providing the advice they received was timely. Others were not happy to pay, but without the pre application advice, if the application were to be refused, they may not understand why. The Leader stated that the point about advice being timely was important, and asked that this be closely monitored. He also added that he agreed with the process, although some Members felt that front loading the application process was not the right way forward;
- The Lead Executive Member for Community Affairs had recently been appointed Chairman of the Devon Building Control Partnership. In his capacity as Chairman, he asked if there was the opportunity to involve the Partnership more at the pre application stage. The Chief Executive added that it was in the Council's and community's interest for the Partnership to be utilised rather than an external provider. The Head of Development Management responded that the Partnership was already involved in a number of areas such as Design Panels and he would be happy to discuss further collaboration;

- The Lead Executive Member for Housing confirmed that he was happy with the proposed charges in terms of affordable housing sites.

It was then:-

RESOLVED

1. That the revised pre-application charges, as set out in the presented report, be adopted; and
2. That Council be **RECOMMENDED** that future amendment to the charges undertaken to respond to market changes or customer feedback be delegated to the Head of Development Management in consultation with the Lead Executive Member with responsibility for the Development Management Service.

E.23/10

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.

There being no questions 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.24/10

REPORTS OF OTHER BODIES

RESOLVED

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

a) Audit Committee – 15 June 2010

A.09/10: Confidential Reporting Policy (Whistle-Blowing)

RESOLVED

That the Confidential Reporting Policy be approved.

b) Community Policy Development Group (CPDG) – 14 July 2010

CPDG.01/10: Minutes

RESOLVED

That the contents of the report presented to the CPDG on 15 April 2010 – Private Sector Housing Renewal Policy and Disabled Facilities Grant Update (Minute Ref 31b/09), be noted and approval given to the amended target for empty properties contained within the Empty Homes Strategy (as detailed in the presented report).

CPDG.03/10: Draft Allocations Policy

The Executive Lead Member spoke on this item and explained that it was important to highlight the direction of travel in terms of the localism agenda. The new Allocations Policy was a major step forward and he hoped his Executive colleagues would support it.

RESOLVED

1. That the draft Local Allocations Policy be approved for consultation;
2. Following the consultation exercise, approval of amendments to the Local Allocations Policy be delegated to the Head of Customer Services in consultation with the Lead Member for Housing; and
3. That officers investigate the costs, both financially and in resource time, to obtain local eligibility information from applicants with regard to applying the 50% target to existing stock and to benchmark the proposed revised policy with that of other authorities and to take this information to a future Group meeting.

CPDG.04/10: Draft Commissioning Strategy for Extra Care Housing in Devon

RESOLVED

That the Draft Commissioning Strategy for Extra Care Housing in Devon be supported in principle.

CPDG.05/10: Devon County Education Contributions on Exception Site Housing

RESOLVED

That consideration be given to the principle of whether education contributions should be sought on 'Exception Site' affordable housing schemes where the housing is to meet existing local need and for the matter to be pursued with Devon County Council.

CPDG.07/10: Children and Young People: South Hams Play Strategy and Investment in Play

RESOLVED

1. That successful progress on delivery of the South Hams Play Strategy and Action Plan be noted;
2. That progress on capital investment in Spaces for Young People be noted;
3. That any review of the South Hams Play Strategy be delayed to allow it to be set in a context of other emerging work, in particular Shared Services Review and the emerging joint Sustainable Communities Strategy;
4. That consideration be given to integration of any subsequent Play Strategy into a comprehensive strategic approach towards working with, and supporting, children and young people;
5. That opportunities to sustain current activity programmes be investigated utilising external funding; and
6. That the value of continued play provision for children and young people continue to be recognised and, wherever possible, continue to be given support.

CPDG.08/10: Cultural Strategy

RESOLVED

That the Community Policy Development Group had considered the officer update and noted that key strands in the Cultural Strategy have been accommodated in other strategies. Therefore, no further extension of the Cultural Strategy is required.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTE E.22/10 PART 2 (WHICH IS A RECOMMENDATION TO THE COUNCIL MEETING ON 9 SEPTEMBER 2010) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 2 AUGUST 2010 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 2.00 pm and concluded at 2.50 pm).

Chairman