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Dear Councillor

SOUTH HAMS COUNCIL - THURSDAY, 26TH SEPTEMBER, 2019

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

Agenda No Item 12

- d) Development Management Committee - 11 September 2019 (Pages 1 - 10)
- e) Executive* - 19 September 2019 (Pages 11 - 22)

Yours sincerely

Darryl White
Senior Specialist – Democratic Services

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**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
11 SEPTEMBER 2019**

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr K Kemp
*	Cllr J Brazil (Chairman (pm only))	*	Cllr M Long
∅	Cllr D Brown	*	Cllr G Pannell
*	Cllr R J Foss (Chairman (am only))	*	Cllr K Pringle
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr T R Holway	*	Cllr B Taylor

Other Members also in attendance and participating:
Cllr J A Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Planning Senior Specialists; Planning Specialists; Deputy Monitoring Officer; and Senior Specialist – Democratic Services
	3193/18/ARM	Devon County Council (DCC) Drainage Officers and Specialist Place Making
	0062/19/FUL and 3398/18/FUL	Devon County Council (DCC) Highways Officer

DM.23/19

MINUTES

The minutes of the meeting of the Committee held on 14 August 2019 were confirmed as a correct record and signed by the Chairman.

DM.24/19

DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllrs R Rowe and B Taylor declared a personal interest in the following planning applications that were sited within the South Devon AONB by virtue of being Members of the South Devon AONB Partnership Committee and they remained in the meeting and took part in the debate and vote thereon:

0842/17/FUL: READVERTISEMENT (Revised Plans and Application Form) Construction of new build dwelling with associated landscaping within the curtilage of a Grade II Listed Building – ‘Ashleigh House’, Fore Street, Kingswear; and

1744/19/NMM: Application for a non-material amendment following grant of planning permission 1780/18/ARM (additional bedrooms within roof space on plots 30, 38, 44 & 45 and provision of conservatories on plots 35, 36, 39 & 42) – Land at SX711 394, Adjacent to Malborough Park, Malborough.

DM.25/19 **PUBLIC PARTICIPATION**

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

DM.26/19 **PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

a) 3193/18/ARM Land to the rear of Green Park Way, Chillington

Parish: Stokenham

Reserved Matters application for the development of 64 no. dwellings (including market, affordable and retirement housing), landscaping and associated works following grant of Outline consent 0771/16/0PA)

Case Officer Update: Since agenda published – 9 further letters of representation received raising new issues including:

- A request for more details of the proposed sub-station and swales;
- Impact of increased population on the SSSI (Site of Special Scientific Interest) and pollution;
- Continued concerns over the proposed Drainage Strategy;
- A detailed response from the objector who had registered to speak in response to the Devon County Council Briefing Note on the proposed Drainage Strategy.

Speakers included: Objector – Dr Bennett; Supporter – Mr Lewis; Ward Member – Cllr Brazil

Recommendation: Conditional Approval

Notwithstanding the advice of the Devon County Council (DCC) Drainage Officers, a number of Members during the debate stated their grave concerns over the proposed drainage scheme and the comments made by the objector had only served to exacerbate these concerns further. In addition, some Members were of the view that the proposed drainage scheme would have a detrimental impact on the landscaping scheme and would be overbearing on those dwellings sited at the lower right hand side of the site.

Committee Decision: Refusal

Reasons:

The proposed layout and landscaping of the scheme would not be able to support a satisfactory drainage scheme and is contrary to Joint Local Plan Policy DEV 35.

b) 0842/17/FUL “Ashleigh House”, Fore Street, Kingswear

Parish: Kingswear

READVERTISEMENT (Revised Plans and Application Form) Construction of new build dwelling with associated landscaping within the curtilage of a Grade II Listed Building.

Case Officer Update: Corrections to published case officer report:
 - Onerous reference to a ‘garage’; and
 - Incorrect reference to the dwelling being a 4 bed property; and
 One further letter of representation but no new issues raised.

Speakers included: Objector – Mr Boyt; Supporter – Mr Evans; and local Ward Member: Cllr Rowe (NB. Cllr Bastone had declared an interest in this application).

Recommendation: Conditional Approval

In discussion, some Members highlighted the statement in Joint Local Plan Policy DEV 25 whereby any development within the Area of Outstanding Natural Beauty (AONB) should ‘conserve and enhance’ the AONB. These Members were strongly of the view that this application would not comply with this requirement and was therefore contrary to JLP Policy DEV 25. Some Members also commented that it would result in a loss of green space between dwellings. Furthermore, some Members felt that a new three-bed dwelling would not meet a local need for housing and considered that the proposals were therefore contrary to JLP Policy DEV 8. The Case Officer clarified local housing stock data and JLP targets for housing mix in the South Hams and Members accepted that this could not be justified as a specific reason for refusal.

Committee Decision: Refusal

Reason:

The proposals were contrary to JLP Policy DEV 25.

c) 1744/19/NMM Land at SX711 394, Adjacent to Malborough Park, Malborough

Parish: Malborough

Application for a non-material amendment following grant of planning permission 1780/18/ARM (additional bedrooms within roof space on Plots 30, 38, 44 & 45 and provision of conservatories on Plots 35, 36, 39 & 42).

Case Officer Update: None

Speakers included: Supporter – Mr Hutton; Parish Council – Cllr Yeoman; and Ward Members – Cllrs Long and Pearce

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accords with plans.

d) 0356/18/FUL Land at SX76840, West of Netherton Barns, Netherton, Kingsbridge TQ9 7RQ

Parish: Frogmore & Sherford

Change of use of land to accommodate two omni pods for self-catering holidays

Case Officer Update: Agent content to agree the detail of a foul waste drainage solution by condition thereby removing proposed refusal reason 3.

Speakers included: Supporter – Mrs Burden: Ward Member – Cllr Foss

Recommendation: Refusal

Committee Decision: Refusal

Reasons for Refusal:

1. The proposal would result in development in the countryside in a remote location that does not relate well to existing buildings or settlements.

In the absence of a compelling case for an exception to the policy requirements for development in the countryside, the proposal would result in unessential, unsustainable development in the countryside, inaccessible from local services, and to the detriment of local landscape character and therefore is contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26, DEV15 and DEV23 of the Plymouth and South West Devon Joint Local Plan; and

2. The proposed development, together with upgrading of the vehicle access, proposed paths, parking, bin storage and use of the surrounding ground for outdoor recreation areas, by reason of the design, siting and separation from the nearby existing buildings, would fail to conserve or enhance the sensitive landscape character of the area contrary to policies SPT1, TTV1, TTV26, DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan.

e) 1295/19/ARM Beacon Park, Dartington TQ9 6DX

Parish: Dartington

Application for approval of Reserved Matters following outline approval 3631/17/OPA for erection of a mix of B1, B2 & B8 employment buildings.

Case Officer Update: An application had been received to discharge a number of the pre-commencement conditions.

Speakers included: Supporter – Mr Swallow; and Ward Member – Cllr Hodgson

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions

1. Accord with plans;
2. Development to accord with Arboricultural Impact Assessment and Tree Protection Plan; and
3. Low Carbon Development.

f) 0062/19/FUL Marquis Devon, Lee Mill, Ivybridge PL21 9EE

Parish: Newton & Yealmpton

Demolition of existing workshop/office building. Erection of office and workshop buildings, extension to vehicle display area and alteration to existing access.

Case Officer Update: Applicants have offered to contribute 15% towards the £28,000 requested by Devon County Council (DCC) as part of a Section 106 Agreement. DCC is of the view that this is insufficient.

Speakers included: Supporter: Mr Brand; and Ward Member – Cllr Baldry (statement supplied)

Recommendation: Refusal

In the debate, Members were torn between their wish to support an expanding business whilst recognising that the applicants offer fell well short of the £28,000 requested by DCC. In conclusion, the Committee felt that this application should be deferred to enable for further negotiations to be carried out.

Committee Decision: Deferral to enable for further negotiations to be carried out.

g) 3398/18/FUL The Display Works, East Way, Lee Mill PL21 9GE

Parish: Ermington & Ugborough

Construction of side and rear extension to existing Warehouse

Case Officer Update: None

Speakers included: Supporter: Mr Oldroyd (statement read); and Ward Member: Cllr Holway

Recommendation: Refusal

In discussion, Members repeated a number of the issues that had been raised during consideration of the previous planning application (point (f) above refers) and, in light of these similarities, felt that a deferral to enable for further negotiations would also be appropriate in this instance.

Committee Decision: Deferral to enable for further negotiations to be carried out.

h) 2519/19/DCC Ivybridge Council Depot, Ermington Road, Ivybridge PL21 9ES

Parish: Ivybridge

County Matters application for change of use from vehicle depot (B8) to waste transfer station (Sui Generis). Including land previously used as householder waste recycling centre. Building works to include demolition of existing storage building and construction of waste transfer station building and associated litter netting.

Case Officer Update: None

Speakers included: Ward Members: Cllrs Abbott and Pringle

Committee Views: The Council declares its interest in the site as the landowner and that it has a contractual agreement with the Applicant (FCC) for the delivery of waste services and that this application is directly related to the Council's own waste strategy.

In its role as statutory consultee to this application process, the Council raises no objection subject to Devon County Council (as the Waste Planning Authority) ensuring adequate measures are put in place to manage and mitigate highway and environmental impacts including a recommendation for a green travel plan condition, consideration of the adequacy of the proposed car parking provision and resolution of the objection from DCC as Lead Local Flood Authority.

DM.27/19 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report.

The Planning Senior Specialist provided further details on specific recent appeal decisions.

(Meeting commenced at 11.00am and concluded at 5.10pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 11 September 2019

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
3193/18/ARM	Land to rear of Green Park Way, Chillington	Refusal	Cllrs Brazil, Hodgson, Holway, Kemp, Long, Pannell and Taylor (7)	Cllrs Abbott and Pringle (2)	Cllrs Foss and Pringle (2)	Cllr Brown (1)
0842/17/FUL	'Ashleigh House', Fore Street, Kingswear	Refusal	Cllrs Brazil, Hodgson, Holway, Kemp, Long, Rowe and Taylor (7)	Cllrs Abbott and Pannell (2)	Cllrs Foss and Pringle (2)	Cllr Brown (1)
1744/19/NMM	Land adjacent to Malborough Park, Malborough	Refusal	Cllrs Hodgson, Long and Pannell (3)	Cllrs Abbott, Brazil, Foss, Holway, Kemp, Pringle, Rowe and Taylor (8)	(0)	Cllr Brown (1)
1744/19/NMM	Land adjacent to Malborough Park, Malborough	Conditional Approval	Cllrs Abbott, Brazil, Foss, Holway, Kemp, Pringle, Rowe and Taylor (8)	Cllrs Hodgson, Long and Pannell (3)	(0)	Cllr Brown (1)
0356/18/FUL	Land West of Netherton Barns, Netherton, Kingsbridge	Refusal	Cllrs Brazil, Foss, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (9)	Cllrs Abbott and Hodgson (2)	(0)	Cllr Brown (1)
1295/19/ARM	Beacon Park, Dartington	Conditional Approval	Cllrs Abbott, Brazil, Foss, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (10)	Cllr Hodgson (1)	(0)	Cllr Brown (1)
0062/19/FUL	'Marquis Devon', Lee Mill, Ivybridge	Deferral	Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (11)	(0)	(0)	Cllr Brown (1)
3398/18/FUL	'The Display Works', East Way, Lee Mill	Deferral	Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (11)	(0)	(0)	Cllr Brown (1)

2519/19/DCC	'Ivybridge Council Depot', Ermington Road, Ivybridge	Agree the proposed consultation response	Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Long, Pannell, Pringle and Taylor (9)	(0)	(0)	Cllrs Brown, Kemp and Rowe (3)
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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 19 SEPTEMBER 2019**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr K J Baldry	*	Cllr N A Hopwood
*	Cllr H D Bastone	*	Cllr D W May
*	Cllr J D Hawkins	*	Cllr J A Pearce

Also in attendance and participating		
Item 7	E.31/19	Cllr Brazil
Item 9	E.33/19	Cllr Brazil
Item 10	E.34/19	Cllrs Brazil and Smerdon
Item 11	E.35/19	Cllr Smerdon
Item 14	E.38/19	Cllr Long
Item 15	E.39/19	Cllr Long
Item 17	E.41/19	Cllrs Brazil, Long and Smerdon
Item 20	E.44/19	Cllr Brazil

Also in attendance and not participating
Cllrs Reeve, Taylor, Abbot and Austen

Officers in attendance and participating		
All items		Chief Executive, Deputy Chief Executive, s151 Officer and Specialist Democratic Services
Item 11	E.35/19	Commissioning Manager
Item 14	E.38/19	Head of Place Making Practice
Item 17	E.41/19	Head of Environment Services Practice

E.27/19 MINUTES

The minutes of the Executive meeting held on 18 July 2019 were confirmed as a true and correct record and signed off by the Chairman.

E.28/19 DECLARATIONS OF INTEREST

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

E.29/19 PUBLIC QUESTION TIME

It was noted that no public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting.

E.30/19 **EXECUTIVE FORWARD PLAN**

Members were presented with the Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content without any comment.

E.31/19 **APPROVAL OF THE PLYMOUTH AND SOUTH WEST DEVON LOCAL DEVELOPMENT SCHEME**

Members were presented with a report that sought approval of the Plymouth and South West Devon Local Development Scheme (LDS) which was a three year project plan for preparing documents, rather than a policy document itself. The LDS was intended to provide a starting point for the local community and stakeholders to find out what planning documents were being prepared by the Council and the timetable for their production.

The Leader introduced the report.

There followed a discussion about the LDS, and particularly the Supplementary Planning Documents that were the subject of a Member Workshop on Monday 23 September, 2019.

It was then:

RESOLVED that:

The Plymouth and South West Devon Local Development Scheme be approved for adoption and publication.

E.32/19 **MEDIUM TERM FINANCIAL STRATEGY 2020/21 TO 2024/25**

The Executive was presented with a report that set out the Budget Strategy for the Council for the next five years and was the starting point for developing a meaningful strategy setting out the intention for all of the different strands of funding available to the Council. The report stated that the Council would then be able to rely on the Strategy to inform future decisions.

The Leader introduced the report. There were no questions of clarity and therefore it was then:

RESOLVED that Council be **RECOMMENDED**:

Recommendation 1: To set the strategic intention to raise council tax by the maximum allowed in any given year, without triggering a council tax referendum, to enable the continued delivery of services. The actual council tax for any given year will be decided by Council in the preceding February.

Recommendation 2: To respond to any Government announcement/consultation on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs and other sector bodies such as the District Councils Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2020 onwards and for when the business rates reform is introduced for 2021-22.

Recommendation 4: That SHDC continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2020/21 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.

Recommendation 5: To use £500,000 of New Homes Bonus funding for 2020-21 (or any alternative scheme) to fund the revenue base budget and then reduce to £350,000 by 2021-22 and £250,000 by 2022-23 for modelling purposes;

Recommendation 6: That the Council maintains a policy of a minimum level of Unearmarked Reserves of £1.5 million and that the annual level of contributions to Earmarked Reserves (£684,300 as per Appendix E) and the adequacy of the existing level of Unearmarked Reserves (£1.9 million) and Earmarked Reserves (£13.3 million) is reviewed by Members as part of the budget setting process. This will assess the adequacy of Reserves levels, in light of future plans and pressures.

Recommendation 7 - That the Council continues dialogue with the actuaries of the Devon Pension Fund and DCC on the options for the Council's Pension position, with the aim of reducing the current contributions, increasing affordability, whilst best managing the pension deficit. One option the Council could consider is paying off some or all of the Deficit in a lump sum. This will be modelled, with a report being presented to Members by January 2020 on this option with both the costs and the benefits, once the results of the Triennial Pension Revaluation are known.

Recommendation 8 – That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £75 million.

It was also RESOLVED that the Executive:

- (ix) Notes the forecast budget gap for 2020/21 of £0.49 million and the position for future years.
- (x) Notes the current options identified and timescales for closing the budget gap in 2020/21 and future years, to achieve long term financial sustainability.

E.33/19 **QUARTER 1 REVENUE BUDGET MONITORING 2019/2020**

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2019/20, and provided a forecast for the year end position.

The Deputy Leader introduced the report.

During discussion, points raised included the significant reduction in price for recycling material which had contributed to the budget pressure £130,000 arising from haulage and processing of waste and recyclable materials. This was outside the control of the Council, but there were also issues of contamination that affected the price and could be addressed.

It was then:

RESOLVED that:

1. The forecast income and expenditure variations for the 2019/20 financial year and the overall projected overspend of £65,000 (0.7% of the total Budget £8.833 million) be endorsed; and
2. The Council be **RECOMMENDED** to approve the proposal for two additional planning enforcement level 6 case managers to be recruited which will cost an additional £50,078 per annum (SHDC share). (NOTE: the two posts are recommended to be funded from the Planning Earmarked Reserve in 2019/20 at a maximum cost of £16,700 (SHDC share)).

E.34/19 **CAPITAL PROGRAMME MONITORING**

Members were presented with a report that advised of the progress on individual schemes within the approved capital programme, including an assessment of their financial position. The monitoring of the capital programme at month 3 (end of June 2019) had not highlighted any significant areas of overspend to report and all of the capital projects were within the existing capital budgets approved by Members.

The Deputy Leader introduced the report. One Member felt that a review of the Capital Programme should take place, as the projects included had been put forward during the previous Council. The s151 officer agreed that the Capital Programme could be reviewed as part of the budget setting process.

It was then:

RESOLVED

That the content of the Monitoring Report be noted.

E.35/19 CORPORATE STRATEGY

Members were presented with a report that reviewed the progress in refining the Council's service offering and suggested desired outcomes under each of the Council's six corporate themes, namely: Efficient and Effective Council, Communities, Enterprise, Environment and Home and Wellbeing.

The Leader introduced the report. In doing so, she advised that the recommendations of the Overview and Scrutiny Panel (minute O&S.27/19 refers) had been taken into account in presenting the final version and accepted, with the exception of planning enforcement for which Executive Members felt a target was not appropriate.

It was then:

RESOLVED that Council be **RECOMMENDED** that:

1. the progress made to date on refining the Council's Corporate Strategy be acknowledged; and
2. the desired outcomes up until 2023 as outlined in section 3 of the presented report be adopted.

E.36/19 PARTNERSHIP FUNDING

Members were presented with a report that sought approval to adopt a commissioning based model to awarding funds thus allowing the Council to clearly articulate the services it required and to draw up legally binding agreements to make sure services were delivered efficiently and effectively.

The Lead Member for Communities introduced the report.

It was then:

RESOLVED that:

a commissioning model be adopted to award partnership funding from 2020-23, based on one or all of the following:

- i. Local need;
- ii. Alignment to the Council's Corporate Strategy; and
- iii. Statutory Duty.

E.37/19 CUSTOMER SATISFACTION ACTION PLAN PROGRESS

Members were presented with a report that detailed progress made since June 2019 on improving customer satisfaction. The report also included recommended next steps to continue to improve the customer experience by further honing the Council website, to pre-empt customer needs and manage expectations.

The Lead Member for Customer Satisfaction and Improvement introduced the report.

It was then:

RESOLVED

1. That progress made to date in improving customer satisfaction be noted; and
2. The next steps as follows be supported:
 - Weekly customer satisfaction team meetings continue to ensure customer satisfaction is foremost in staff's minds and continual improvements are made;
 - The weekly team meetings have highlighted the need for clear customer communication. With this in mind it is proposed an in house, online, 'Effective Customer Communication' course is produced and is completed by all staff by the end of the year;
 - Continued focus on the website ensuring regularly searched information is quick and easy to access and service changes clearly communicated;
 - Participation in the Institute of Customer Service's National Customer Service Week, 7-11 October, 2019. During this week it is proposed the Council hosts its annual Staff Awards in recognition of staff delivering exemplary customer service. It is also proposed the Council launches its Institute of Customer Service benchmarking during this week; and
 - Improvements be reported to this meeting in November along with the results of the benchmarking survey.

E.38/19

SALCOMBE NEIGHBOURHOOD PLAN

The Leader introduced a report that sought approval to make (adopt) the Salcombe Neighbourhood Plan and to agree a minor modification as requested by the Salcombe Neighbourhood Planning Group.

The Leader introduced the report. Her fellow local Ward Member noted an error whereby Salcombe Town Council had been referred to as a parish council, but otherwise Members wanted to congratulate Salcombe on achieving a made Neighbourhood Plan.

It was then:

RESOLVED that:

1. The Salcombe Neighbourhood Development Plan be made (adopted); and

2. The minor modifications requested by the Salcombe Neighbourhood Planning Group as follows be agreed:
'a minor modification to the final wording of para 6.6.1.8 that 'fall within the Settlement Boundary (figure 1B) be deleted and replaced by 'are allocated within the adopted JLP'. The Neighbourhood Plan policies are not affected by this change in supporting text'

[NB: In line with Executive Procedure Rules, the Leader abstained from the vote on this item as it was within her local Ward]

E.39/19 **SOUTH MILTON NEIGHBOURHOOD PLAN**

The Leader introduced a report that sought approval to make (adopt) the South Milton Neighbourhood Development Plan.

The Leader introduced the report. A number of Members wanted to congratulate South Milton Neighbourhood Planning Group on achieving a made Neighbourhood Plan, particularly as South Milton was a small community and a Neighbourhood Plan required a great deal of work by a number of volunteers.

It was then:

RESOLVED

That the South Milton Neighbourhood Plan be made (adopted).

[NB: In line with Executive Procedure Rules, the Leader abstained from the vote on this item as it was within her local Ward]

E.40/19 **WRITE OFF REPORT**

The Deputy Leader introduced a report that informed Members of the debt written off for revenue streams within the Revenue and Benefits service. Debts up to the value of £5,000 were written off by the s151 Officer under delegated authority. Permission was sought to write off individual debts with a value of more than £5,000.

It was then:

RESOLVED

That it be noted that, in accordance with Financial Regulations, the s151 Officer has authorised the write-off of individual South Hams District Council debts totalling £49,186.33 as detailed in Tables 1 and 2 of the presented agenda report.

That the write off of individual debts in excess of £5,000 totalling £19,428.25, as detailed in Table 3, be approved.

E.41/19 ENVIRONMENTAL PROTECTION ENFORCEMENT POLICY

Members were presented with a report that sought approval of an Environmental Protection Policy to support the enforcement work carried out by officers, and to enable the Council to continue to manage environmental protection enforcement in an efficient and effective manner, in line with the Council's environment theme and priorities.

The Lead Member for Environment introduced the report and the Head of Environment Services Practice responded to questions of clarity. The Deputy Chief Executive added that the report sought to consolidate existing policies to ensure a consistent approach, and education before enforcement.

During discussion, Members were keen that a zero tolerance policy should be adopted in terms of enforcement on matters of littering and dog fouling. It was also agreed that publicity would help to ensure a consistent message from the district council, through town and parish councils, to communities.

It was then:

RESOLVED

That the Environmental Protection Policy be approved with immediate effect.

E.42/19 REPORTS OF OTHER BODIES

RESOLVED

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

a) **Overview and Scrutiny Panel – 5 September 2019**

i. **O&S.25/19 PLANNING ENFORCEMENT PLAN REVIEW**

It was then **RESOLVED**:

1. That the updated Enforcement Plan, the Harem Assessment matrix and the proposed Enforcement Plan be approved;
2. That Council be **RECOMMENDED** that the additional two permanent staff for Planning Enforcement Reserve in 2019/20 be approved, and built into the Budget Setting process as a cost pressure for 2020/21; and

3. That Members receive notification of each Planning enforcement case (once it has been registered) within their local ward alongside it's priority rating.

ii. O&S.26/19 HOMELESS STRATEGY ACTION PLAN

It was then **RESOLVED**:

1. That the Homelessness Strategy Action Plan 2019/20 and the South Hams and West Devon Rough Sleeper Strategy 2019/22 be adopted; and
2. Once adopted, copies of these documents be sent to Town and Parish Council Clerks with an explanatory note of the relevant services (and officer contact details) that are provided by the Council.

iii. O&S.27/19 CORPORATE STRATEGY

The Executive had considered the recommendations made by Overview and Scrutiny Panel on this item, earlier on the agenda.

iv. O&S.28/19 CLIMATE CHANGE AND BIODIVERSITY – CITIZENS' ASSEMBLY

In accordance with the Council resolution (Minute 29/19(b) refers), the Executive was given the opportunity to comment on the following recommendation that was generated by the Climate Change and Biodiversity Working Group that was to be submitted to the Council to be held 26 September, 2019:

'That the Working Group be provided with full particulars of the Citizens' Assembly proposed by Devon County Council including, but not limited to, the issues and matters to be addressed, the number of assembly members and their geographic spread and means of administration/operation.'

(This will inform the benefits and options of establishing a Citizens' Assembly for the South Hams).

In considering the recommendation, the Executive agreed with point (a) as made by the Overview and Scrutiny Panel, being:

The lack of any timeframe in the Working Group recommendation was unfortunate and a number of Members felt that it would be appropriate for the full particulars to be provided to the next meeting of the Working Group.

E.43/19 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 item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.44/19 BRIEFING ON THE USE OF URGENT POWERS BY HEAD OF PAID SERVICE TO EXCLUDE A MEMBER OF THE PUBLIC FROM USING OUR LAND

Members were presented with an exempt report that advised of the use of urgent powers taken by the Head of Paid Service

The Head of Paid Service introduced the report.

It was then:

RESOLVED

That the urgent action taken by the Head of Paid Service to exclude a person from using the slipways onto the Salcombe Estuary due to concerns about their ability to operate in a safe manner be noted.

E.45/19 REQUEST FOR RENEWAL OF A LONG LEASE

Members were presented with an exempt report that sought approval of a long lease for a term in excess of 15 years.

The Lead Member for Communities presented the report.

It was then:

RESOLVED

That authority be delegated to progress and conclude detailed negotiations of the lease renewal to the Head of Assets Practice, in consultation with the s151 Officer and Leader of Council, for a term in excess of 15 years.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.32/19 (1 – 8), E.33/19 (2), E.35/19(3), AND E.42/19 (a) (i) 2, WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 26 SEPTEMBER 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 30 SEPTEMBER 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.35 am)

Chairman

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