

# SOUTH HAMS EXECUTIVE



## **Minutes** of a meeting of the **South Hams Executive** held on **Thursday, 3rd June, 2021 at 11.00 am** at the **Repton Room - Follaton House**

Present:        **Councillors:**

**Chairman** Cllr Pearce  
**Vice Chairman** Cllr Bastone

Cllr Hopwood  
Cllr Holway

Cllr Hawkins

### **In attendance:**

Councillors:

Cllr Abbott  
Cllr McKay

Cllr Birch  
Cllr Rowe

Officers:

Chief Executive  
Director of Customer Service & Delivery  
Director of Governance & Assurance  
Monitoring Officer  
Democratic Services Manager  
Head of Housing, Revenues & Benefits  
Senior Specialist - Climate Change  
Senior Specialists - Housing

7.

### **Minutes**

E.7/21

The minutes of the Executive meeting held on 27 May 2021 were confirmed as a true and correct record.

8.

### **Urgent Business**

E.8/21

The Chairman advised that she had no urgent items for consideration at this meeting.

9. **Declarations of Interest**

E.9/21

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

10. **Public Question Time**

E.10/21

It was noted that eight public questions had been received in accordance with the Executive Procedure Rules for consideration at this meeting.

**Question 1 from Caroline Snow:**

*'Air Quality Annual Status Report 2019, p. 12, states: "South Hams District Council anticipates that further additional measures not yet prescribed will be required in subsequent years to achieve compliance and enable the revocation of Totnes and Dean Prior Air Quality Management Areas". What additional measures has the Council now introduced?'*

In reply, the Leader informed that the Joint Local Plan contained policies relating specifically to all of the Air Quality Management Areas in the South Hams –these policies meant that the Council asked for air quality mitigation measures from new developments. For recent planning applications for Broom Park and Sawmills at Dartington, developers had agreed to help improve walking and cycling infrastructure, encourage the use of sustainable transport, implement Electric vehicle charge points, and enable more working from home.

The Council continued to negotiate with Devon County Council (DCC), who are responsible for traffic management in the Totnes area, and with Highways England, who are responsible for the A38 at Dean Prior, to try to find practicable ways to improve air quality at these Air Quality Management Areas (AQMA).

The Council also continued to monitor Nitrogen Dioxide and made these results available to relevant agencies and to the public. Current results for 2020 indicated that pollution levels had decreased.

Our third AQMA in Ivybridge had recently been the subject of DCC Highways works and the Council was hopeful that this would have improved the situation in that area to allow revocation of the AQMA.

**Question 2 from Barbara Smith:**

*'Given the known harmful effects of NO<sub>2</sub> and particulate pollution to the health of residents, what were the rates for NO<sub>2</sub> and particulates across the South Hams in 2020 and how does this compare with previous years?'*

In response, the Deputy Leader stated that the Council had continued to monitor NO<sub>2</sub> levels at locations in the South Hams area. The validated

results had not yet been published but would be published in the next Air Quality Report. However, the raw data suggested that NO<sub>2</sub> levels had decreased in 2020 when compared to previous years.

**(The following six questions all relate to the Climate and Ecological Emergency (CEE) Bill and the Leader provided one combined response to these questions)**

**Questions 3, 4 and 5 from Massimo Giannuzzi:**

*'(Background: Re the CEE bill motion from Cllr Hodgson (deferred from 25<sup>th</sup> March and again from 20<sup>th</sup> May). I was deeply disappointed that Conservative councillors of SHDC put forward an amendment qualifying the level of support they could offer based on the fact that the bill was waiting to be re-introduced into parliamentary procedure).'*

*'Q3 I'd like to ask why Conservative councillors of SHDC put forward this amendment – given that so many other councils throughout the UK (notably Cambridge City Council and locally Buckfastleigh Town Council) were able to simply pass motions of support?'*

*'Q4 Do councillors recognise that this action of introducing the amendment was unnecessary and that it would have been perfectly proper to have voted in support of the motion in the same way that other councils, described above, did?'*

*'Q5 Do councillors recognise and acknowledge that in doing so, an unnecessary delay of **several months** has been introduced into a process that SHDC has already designated an emergency?'*

**Question 6 from Jeannie Hodder:**

*'Re Cllr Hodgson CEE bill motion deferred - will the Conservative leader of council, agree to not introduce any further technical delays when it is re-presented which are not normal council practice, and which are not being adopted by other councils in the UK?'*

**Question 7 from Susan Ponton**

*'Re Hodgson CEE bill motion - was invoking purdah 25 March a sign that leadership regards CEE Bill a party issue involving conflict, not a cross party supported issue? Are Conservatives committed to supporting Bill cross party when re-presented in July, as suggested on 20 May, or not?'*

**Question 8 from Barbara Smith**

*'Please let me know what was the specific written guidance that the Monitoring Officer used to come to his decision to invoke purdah on 25 March, and if there was any request or pressure from the Executive on the Monitoring Officer to act as he did?'*

In her combined response, the Leader advised that, had Cllr Hodgson submitted her Notice of Motion by the deadline for submitting Notices of Motion to the Council in February, then we would have been able to debate it at that meeting. The next meeting of the Council was during the pre-election period or purdah period. The Council was prohibited from publishing any material which, in whole or in part, appears to be designed to affect public support for a political party. Publishing in this context, also means using Council resources. Local authorities were advised to be especially careful at times of heightened sensitivity such as in the pre-election period.

Cllr Hodgson's Notice of Motion was initially taken at face value when it referred to cross-party support. However, although late in the day, the Monitoring Officer became concerned having researched the background to the Bill further that the Bill was not as cross-party as had been understood. Having regard to the relevant statutory provisions, the statutory code for publicity and the specific advice on the pre-election period issued by the Local Government Association, the Monitoring Officer issued the advice that the item should be deferred.

According to the Local Government Information Unit there were 398 principal authorities in the UK and nearly 12,000 local councils. According to the CEE Bill supporters' website, 58 councils had passed a motion in support of the CEE Bill.

Since the Notice of Motion was first aired, the legislative session during with the CEE Bill was being considered had ended and a new session had begun. The ending of a Parliamentary session brought to an end most parliamentary business, with the exception of public bills that were carried over by agreement. When the 2019-21 session ended the CEE Bill fell while awaiting its second reading. Of the 30 or so bills currently before Parliament, there was no bill of that name or effect.

Specifically on each individual question, the Leader added:

**For Question 3:** 'Cllr Lewis Herbert, Leader of Cambridge City Council, is a colleague of mine whom I admire and respect hugely. He and I are clear as to where our political allegiances divide, even though on a personal basis we are on very good terms. His Council may have adopted this motion, but this has little or no relevance to what South Hams might do. Lewis would understand and agree with this.'

**For Question 4:** 'The amendment was proposed as a method of sustaining the spirit of a motion which made no sense once the Bill had fallen at the end of the parliamentary session. The figures in the Monitoring Officer's reply above are clear.'

**For Question 5:** 'I entirely refute that not having passed this motion will make any difference at all to the progress of the adopted South Hams Climate Change and Biodiversity Action Plan, the evidence of which is included in today's agenda papers.'

**For Question 6:** 'The Bill no longer exists so there will not be a further motion.'

11. **Executive Forward Plan**

E.11/21

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months.

In discussion, reference was made to:

- the need for the next version of the published Forward Plan to take into account the recent appointment of Cllr Holway on to the Executive and the imminent revisions to the lead portfolio areas; and
- the deferral of the 'Improving Biodiversity Through Effective Grounds Maintenance' agenda item to the next Executive meeting to be held on 8 July 2021.

12. **Climate Change and Biodiversity Action Plan Update**

E.12/21

In line with the Council resolution to adopt the Climate Change and Biodiversity Strategy and Action Plan at its meeting held on 17 December 2020, the Executive received a report that set out the progress that had been made on the Action Plan in the last six months (Minute 28/20 refers).

In discussion, reference was made to:-

- (a) the progress being made by the Council in comparison to other local authorities. When questioned, the Leader informed that the Council was comparing favourably in its progress in the delivery of its Climate Change and Biodiversity Action Plan. To expand upon this viewpoint, the Leader advised that a number of local authorities were struggling to recruit a lead officer. As a result, a number of Members paid tribute to the efforts being made by the Council and thanked the lead officer for his work in this regard;
- (b) the £3,000 per Member Sustainable Community Local Fund expenditure for local Climate Change and Biodiversity projects. When questioned on progress towards a launch date, the lead officer informed that he was to meet with colleagues who were finalising a web based application scheme later in the week. Following this meeting, it was his intention to provide an update on both the Fund and the Crowdfunder Platform to all Members via the weekly Bulletin newsletter. Nonetheless, it was his hope that both the Fund and Crowdfunder initiative would be formally launched within the next few weeks;
- (c) information published on the Council website. Officers committed to ensuring that more up to date information was uploaded on to the Council website. In addition, it was also agreed that the details

of the Community Forum representatives would also be included on the website. Specifically regarding the Community Forum, a request was also made for consideration to be given to developing a means by which elected Members could be involved in the Forum;

- (d) the feasibility study into solar over Council Car Parks and other assets. In welcoming the study, a Member asked if he could be in receipt of a copy of the Terms of Reference that would accompany this study;
- (e) the carbon literacy training proposed for the Council's Senior and Extended Leadership Teams. A Member questioned whether the proposed training could be extended to a wider audience that could include interested elected Members. In reply, officers confirmed that they would check with the provider of the training and inform the interested Member accordingly;
- (f) the measuring of carbon reductions. A Member expressed his long held concern that the current Action Plan was lacking both how the Council proposed to reach its target of net zero for carbon and how such reductions were proposed to be measured;
- (g) Action Plan 3.5 'ring fencing and promoting a percentage of Members Grant schemes towards tree planting schemes'. Given the amount already taking place in the South Hams, a Member questioned the need to ringfence monies towards tree planting schemes. In debate, the Executive agreed with this comment and it was agreed that the Action Plan would therefore be amended;
- (h) simplifying the terminology around the Climate Change and Biodiversity agenda. A Member felt that there was a current disconnect between public interest and public engagement in Climate Change and Biodiversity. As a consequence, there was considered to be a need to simplify some of the language and terminology in an attempt to improve public engagement across the district. In agreement, the Leader cited the recent Carbon Savvy campaign as an example of the need for more understandable language to ensure a greater level of consultation responses were obtained and asked that the lead officer reflect this point back to those who had led the campaign.

It was then:

### **RESOLVED**

That the progress made against delivery of the adopted Climate Change and Biodiversity Action Plan be noted.

13.

### **Devon Home Choice Policy Changes**

E.13/21

Consideration was given to a report that recommend adoption of a series of proposed changes to the Devon Home Choice Policy.

In discussion, the following points were raised:

- (a) Members noted that the annual review of Devon Home Choice was to be presented to a future meeting of the Overview and Scrutiny Committee;
- (b) Since the proposed changes were being made across the county, it was acknowledged that some were of minimal relevance to the South Hams;
- (c) The current shortage of larger properties within the housing stock was having a major impact on a number of local families. Whilst the Council's Housing Team was working tirelessly to find innovative solutions, local families were still leaving the South Hams in numbers and this was a cause of great concern. As a result, addressing the current local housing provision was an absolute top priority for the Council. Finally, a Member also requested that the Council's current SeaMoor Lettings Policy should be reviewed as soon as was practically possible.

It was then:

**RESOLVED**

That, with effect from 1 June 2021, the Devon Home Choice Policy changes (as set out in the presented agenda report) be made.

14.

**Homelessness Strategy Action Plan 21/22**

E.14/21

Members considered a report that sought approval of the Homelessness Strategy Action Plan for 2021/22.

During discussion, particular reference was made to:

- (a) the response rate of the Housing Team. Upon instances of homelessness and rough sleeping being reported, a number of Members paid tribute to the phenomenal speed by which the Housing Team responded and they were felt to be a credit to the Council;
- (b) the vitally important role played by the Housing Team in preventing instances of Homelessness;
- (c) the current state of the Housing Market. On a number of occasions, Members made the point that the Housing Market was currently working against the local residents of the South Hams and, as a consequence, there was a desperate need for lasting political solutions to be made in order to rectify the current situation.

It was then:

## **RESOLVED**

That, with effect from 1 April 2021, the Homelessness Strategy Action Plan for 2021/22 be adopted.

### 15. **Reports of Bodies: Overview & Scrutiny Committee Meeting - 1 April 2021**

E.15/21

#### **Minute O&S.51/20 Sustainable Community Locality Fund – Update**

The Executive was invited to consider the following recommendation that had arisen from the Overview and Scrutiny Committee meeting held on 1 April 2021:

*'That each Member receives a further £500 in recognition of the need and the importance of the Localities Fund and the difference it can achieve. The £15,500 necessary for the 2021/22 to be funded from the New Homes Bonus Reserve.'*

In discussion, the following points were raised:

- (a) Some Members felt it to be unfortunate that this proposal had only come forward a matter of weeks after the Council had approved its Budget for 2021/22. In reply, the Chairman of the Overview and Scrutiny Committee advised that the matter had only come forward at the time when the Sustainable Community Locality Fund (SCLF) Update report had been presented. Furthermore, the recommendation had been prompted by the report setting out that, in the 2020/21 Financial Year, the Sustainable Community Locality Fund had contributed £43,800 to 78 projects with a total cost of £379,000;
- (b) Members highlighted the additional £3,000 Member Locality Fund for 2021/22 that had been allocated to support Climate Change and Biodiversity initiatives. As a result, Members questioned the need for an additional £500 and this view was supported further by the fact that a number of Members had not spent their current allocations during the 2020/21 Financial Year.

It was then:

## **RESOLVED**

That the 2021/22 Sustainable Community Locality Fund allocation for each Member be retained at £2,000.

**(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 14 JUNE 2021 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).**



The Meeting concluded at 12.15 pm

**Signed by:**

**Chairman**

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