

**MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD  
REMOTELY VIA TEAMS ON THURSDAY 25 MARCH 2021**

**MEMBERS**

\* Cllr R Rowe – Chairman

\* Cllr R J Foss – Vice-Chairman

* Cllr V Abbott	* Cllr M Long
* Cllr L Austen	* Cllr J McKay
* Cllr K J Baldry	* Cllr D M O’Callaghan
* Cllr H D Bastone	* Cllr G Pannell
* Cllr J P Birch	* Cllr J A Pearce
* Cllr J Brazil	* Cllr J T Pennington
* Cllr D Brown	* Cllr K Pringle
* Cllr M Chown	* Cllr H Reeve
* Cllr J D Hawkins	* Cllr J Rose
* Cllr J M Hodgson	* Cllr P C Smerdon
* Cllr T R Holway	* Cllr B Spencer
* Cllr N A Hopwood	* Cllr J Sweett
* Cllr S Jackson	* Cllr B Taylor
* Cllr K Kemp	* Cllr D Thomas

\* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Chief Executive; Deputy Chief Executive; Director of Governance and Assurance; Section 151 Officer; Director of Place and Enterprise; Monitoring Officer; Head of Human Resources; and Democratic Services Manager

45/20

**MINUTES**

The minutes of the meeting of the Council held on 11 February 2021 were approved as a true and correct record.

46/20

**URGENT BUSINESS: LEISURE – FUSION SUPPORT ON RE-OPENING**

The Chairman advised that she had agreed for one urgent item to be raised at this meeting that related to ‘Leisure – Fusion support on Re-Opening’. This item was considered urgent in light of the associated time constraints and would be considered immediately.

In discussion, the following points were raised:-

(a) A number of Members were of the view that the monies should be passported through to Fusion to ensure that the Leisure Centres could be re-opened from 12 April 2021. In contrast, another Member expressed his concern that the Council was being asked to passport the funding without further information at this time on the future financial position of the organisation;

- (b) It was confirmed that all figures set out in the presented agenda report related to South Hams only and were not on a shared basis with West Devon Borough Council;
- (c) The importance of the role to be played by Fusion in the Health and Wellbeing agenda was recognised by Members; and
- (d) In expressing his opposition to the recommendation, a Member was of the view that:
  - Members had been given insufficient time to properly consider this urgent item; and
  - the Council had already allocated significant sums of money to Fusion.

It was then

### **RESOLVED**

That the £170,985 of the National Leisure Recovery Fund (NLRF) funding be passported through to Fusion, to enable for the organisation to meet the costs of preparing and carrying out the re-opening schedule from 12 April 2021 onwards, in line with the national roadmap.

47/20

### **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 there were none made.

48/20

### **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reminded the meeting that this was the last Full Council meeting before a new Chairman was to be appointed at the Annual Council meeting to be held on 20 May 2021. In highlighting the impact of the COVID-19 Pandemic, the Chairman stated how difficult the last twelve months had been and she wished to thank officers and the wider membership for their guidance and support during such a testing period.

49/20

### **INVESTING IN SOUTH HAMS ECONOMIC RECOVERY**

The Council considered a report that set out a number of proposals to ensure that visitors would experience the best that the South Hams had to offer whilst also ensure that local residents would feel confident that towns and local businesses were as safe as possible, with the added benefit of returning consumer confidence.

In introducing the report, the Leader advised that, at the appropriate time, it would be her intention to **PROPOSE** a revised recommendation that would seek approval to an additional £100,000 of investment (from £498,000 to £598,000) to support the economic recovery that would be focused on improving the built / natural environment to deliver economic improvements within the smaller coastal communities and tourism centres in the South Hams.

In the ensuing debate, reference was made to:

- (a) support being expressed for the additional investment. In welcoming the assurance that Modbury would be able to bid for these monies, it was also hoped that South Brent and Bickleigh would be able to do likewise;
- (b) the need for town councils to provide match funding. Some Members considered the timing to be unfortunate to ask town councils to provide match funding when they had only just set their precept for the next Financial Year;
- (c) further Government guidance still being awaited. Whilst guidance was still awaited, officers confirmed that each submitted Bid would be looked at on its own merits.
- (d) an amendment to the motion. The following amendment was **PROPOSED** and **SECONDED**:-

- 3. That the proposed initiatives set out in the report be referred to the next meeting of the Overview and Scrutiny Panel for its examination and scrutiny and thereafter it will submit its recommendations to the Executive.*
- 4. That prior to the next meeting of the Overview and Scrutiny Panel, Members be encouraged to seek the views of the town and parish councils, residents and local businesses within their area.*
- 5. That, meanwhile, the sum of £50,000 be allocated for expenditure in respect of any urgent measures to be undertaken or required prior to a final decision in respect of the proposed initiatives.*

In introducing his amendment, the proposer stated that there was a lack of opportunity for the wider membership to adequately scrutinise the process. In addition, the Member was of the view that the set of proposals were being rushed and there was a need for town and parish councils and local businesses to have the opportunity to be consulted.

During debate, reference was made to:-

- any delay in allocating monies would have a detrimental impact on local businesses and this amendment was seen by some Members to be slowing down the process;
- support for the need for wider engagement and consultation and the need to comply with the recently adopted Consultation and Engagement Strategy;

- if approved, the amendment resulting in the matter being referred to the next Overview and Scrutiny Panel meeting to be held on 1 April 2021; and
- the Council's Recovery Plan giving great emphasis to economic regeneration.

When put to the vote, the amendment was declared, by virtue of a Chairman's Casting Vote, to be **LOST**;

- (e) some parishes not being able to directly access this funding. Whilst supporting the proposals, some Members did wish to point out that not all areas of the South Hams would see any direct benefit.

It was then:

### **RESOLVED**

1. That in line with the Council's commitment to work with and support businesses, residents and communities through the Recovery period, an investment of £598,000 be approved to support economic recovery, the major towns and the visitor economy of the South Hams. The funding will support the national roadmap for the easing of lockdown at a local level, as detailed below:

- Keeping the streets clean - £130,000
- Enhanced on street presence - £36,000
- Supporting business and hospitality - £57,000
- Improving the business environment in our key towns - £275,000
- Improving the built / natural environment to deliver local economic improvements within our smaller coastal communities and tourism centres - £100,000

2. That the total cost of £598,000 be funded as set out below:-

- i) £398,000 be allocated to the initiatives set out in the report from either the remaining funds from the Council's Additional Restrictions Grant scheme allocation, or in the event that the further Government guidance due to be published on the ARG scheme indicates that a different approach is required, that instead the £298,000 is funded by the Business Rates Retention Earmarked Reserve or other appropriate source, such as the recently announced Welcome Back Fund;
- ii) The final decision on the financing of the £398,000 be delegated to the Director of Place of Enterprise, in consultation with the Section 151 Officer, the Leader and Executive Member for Finance, on receipt of the further guidance from the Government department responsible for Business Grants on the ARG scheme, which is anticipated to be received prior to the end of March 2021; and

- iii) That it be noted that £200,000 from the £500,000 of ARG funding previously allocated by Council on 11th February 2021, (minute CM 39/20 refers), earmarked for strategic economic recovery projects and priorities, is allocated to the initiatives set out in the presented agenda report.

50/20

## **ENHANCING THE DEMOCRATIC DECISION-MAKING PROCESS**

The Council considered a report that sought approval to:

- Bring forward changes to enhance and improve the democratic decision-making process, with the intention of the new arrangements coming into effect for the new Municipal Year (from May 2021); and
- Instruct officers to undertake further work with a view to bringing forward further recommendations.

In discussion, the following points were raised:-

- (a) A Member wished to put on record that the proposals were by no means a reflection on the work of the current Chairman of the Council, who he felt had done an excellent job in such difficult circumstances;
- (b) The proposal to increase the number of scheduled Full Council meetings from four to six per year was welcomed;
- (c) Tributes were paid to the extent of consultation with all Members that had been undertaken by officers in reaching this point. As a result, it was felt that this process had been an exemplar example of consultation and engagement with Members.

It was then:

### **RESOLVED**

1. That the overarching aims and principles (as set out in section 4 of the presented report), be supported with any consequential amendments being made to the Council's Constitution, and changes to come into effect from the Annual Council meeting in May 2021; and
2. That officers continue to consult with Members prior to bringing a report and the amended Constitution to Annual Council on 20 May 2021.

**2021/22 CAPITAL STRATEGY; 2021/22 TREASURY MANAGEMENT STRATEGY; AND 2021/22 INVESTMENT STRATEGY**

Consideration was given to a report that sought approval of the proposed Capital Strategy, Investment Strategy and Treasury Management for 2021/22, together with their associated prudential indicators.

In discussion, reference was made to:-

(a) an amendment to the Capital Strategy was **PROPOSED** and **SECONDED** as follows:

*'That the 2021/22 Capital Strategy be approved subject to:*

- *Appendix A 6.6.3 "where applicable" should be deleted and "briefed" changed to "consulted"; and*
- *6.6.9 (development on Council owned land) there is no mention of Ward Members in addition to local town and parish councils being briefed. Add "Ward Members will be consulted at the earliest opportunity" in the same way as in section 6.6.3;'*

When put to the vote, the amendment was declared **CARRIED**;

(b) the ability to review these draft Strategies. Officers confirmed that, whilst there was a requirement for them to be in place by 1 April, these draft Strategies could be reviewed at any given time during the year.

It was then:

**RESOLVED**

1. That the Council has scrutinised and approve the 2021/22:

- i) Capital Strategy (as attached at Appendix A to the presented report) subject to:
  - Appendix A 6.6.3 "*where applicable*" should be deleted and "*briefed*" changed to "*consulted*"; and
  - 6.6.9 (development on Council owned land) there is no mention of Ward Members in addition to local town and parish councils being briefed. Add "*Ward Members will be consulted at the earliest opportunity*" in the same way as in section 6.6.3;
- ii) Treasury Management Strategy (as attached at Appendix B to the presented report); and
- iii) Investment Strategy (as attached at Appendix C to the presented report); and

2. That delegated authority be given to the Section 151 Officer, in consultation with the Leader of the Council and the Executive Member for Finance, to make any minor amendments to these Strategies if required throughout the 2021/22 Financial Year.

52/20

## **PAY POLICY STATEMENT AND PAY AND REWARD STRATEGY 2021/22**

In line with the requirements of the Localism Act 2011, Members considered a report proposing adoption of the Pay Policy Statement 2021/22 and Pay and Reward Strategy for 2021/22.

In discussion, reference was made to:-

- (a) a minor typographical amendment to the Statement for 2021/22. In proposing the recommendation, the following minor amendment was included:
  - *Page 104, Section 11 of the published agenda papers being amended to read “SHDC and WDBC” as opposed to “WDBC and WDBC”;*
- (b) the term ‘remuneration’. In the context of the term ‘remuneration’, it was agreed that the Head of Human Resources would contact an interested Member outside of this Council meeting.

It was then:

### **RESOLVED**

- 1) That the Pay Policy Statement for 2021/22 (as attached at Appendix A of the presented report) be adopted, subject to Page 104, Section 11 of the published agenda papers being amended to read “*SHDC and WDBC*” as opposed to “*WDBC and WDBC*”; and
- 2) That the Pay and Reward Strategy 2021/22 (as attached at Appendix B of the presented report) be adopted.

53/20

## **QUESTIONS ON NOTICE**

It was noted that one question had been received in accordance with Council Procedure Rule 8:

### **(a) From Cllr Birch to Cllr Pearce (Leader of Council)**

*“Following the Leader of the Council’s answer to my question at the Executive meeting held on 11 March on the matter of Climate Change & Biodiversity (CC&B) projects, will she please list all the current projects contained in the CC&B Action Plan that are being implemented?”*

*Will she also please confirm that Members will receive regular updates on progress in respect of the CC&B projects in the Members' bulletin?"*

Cllr Pearce responded by thanking Cllr Birch for his question and proceeded to refer him to Council Minute Number 28/30.

In reply to a supplementary question, Cllr Pearce confirmed that she was supportive of both more recent information being uploaded on to the website and regular progress updates in respect of Climate Change and Biodiversity projects being circulated via the Members' Bulletin.

**(b) From Cllr Hodgson to Cllr Bastone (Deputy Leader of Council)**

*"What progress has been made with Traveller sites in the South Hams and how and when will formal sites be established for both transit and permanent use by the Traveller Community?"*

In reply, Cllr Bastone stated that, despite the National Lockdown, work had been going on behind the scenes. Officers had visited two potential sites so far, pre-application discussions with current 'caravan dwellers' had been taking place to see if there was any potential with their sites in planning terms. The Council would be looking to see if any sites that were currently occupied could be regularised through the planning process. In addition, work with Devon County Council was ongoing and this would be undertaken with Teignbridge District Council, who may be keen to work in partnership on a transit site. An update would be brought to Members once the National Lockdown had ended as further sites were due to be visited in the coming weeks. The Gypsy and Traveller Forum was envisaged to take place in July 2021 when this could be undertaken outside.

Cllr Bastone responded to a supplementary question by confirming that the service was still working within the existing budget.

54/20

**MOTIONS ON NOTICE**

It was noted that seven motions had been received in accordance with Council Procedure Rule 10:

**(a) By Cllrs Hopwood and Austen**

*'All types of businesses from the cake maker to the carpenter play a major role in our communities. They help to support economic growth from the ground up. Following the pandemic, these often innovative and dynamic small businesses are going to be key to our recovery. The principle of shopping locally and supporting local trades is something that we can all do as we support each other to grow and thrive in the coming years and that can begin as local as your own street, community or village.'*



*As a Council (and elected Members) we can support and encourage support local and be 'Support Local' advocates within our communities.'*

Since the agenda had been published, the Chairman advised that the proposer and seconder had given notice of their wish to formally withdraw their motion.

**(b) By Cllrs Hodgson and Rose**

*'In line with our formal declaration of a climate and biodiversity emergency, and our commitment to actions to change behaviour to address the causes of this situation, and mitigate the impacts, this Council supports the Climate and Ecological Emergency Bill proposed by a coalition of scientists, academics and lawyers with the aim of bringing the UK's climate policy into one with evolving scientific evidence. Currently this is also supported by 96 cross-party members of parliament. Nationally we need a strong legislative framework that embeds the Government's targets in law, enabling us as supportive players, to plan and develop our future trajectories, to fit in with those targets.'*

**Council therefore resolves to:**

- i. Support the Climate and Ecological Emergency Bill; and*
- ii. Inform the local media of this decision;*

At the discretion of the Chairman, the proposer of the motion wished to express her deep reservations at the decision of the Monitoring Officer to remove it from this meeting agenda due to the Council currently being in a Purdah Period. The Member proceeded to advise that a similar motion had been accepted by the Monitoring Officer at Devon County Council and, in light of the extent of the public concerns in the matter, she asked that the Chairman reinstate her motion on to the agenda.

The Monitoring Officer apologised to the proposer for the unfortunate timing of his decision but remained of the view that his ruling was correct. As a consequence of the professional advice given, the Chairman concluded that she was not willing to reinstate the motion on to this agenda and confirmed that it would therefore be rolled over to the Annual Council meeting on 20 May 2021 for consideration.

**(c) By Cllrs Birch and Holway**

*'Following the decision of Full Council at its meeting on 11 February 2021 to allocate the sum of £200,000 to Climate Change and Biodiversity projects, it is resolved that part of this sum be allocated to Members as a CC&B Locality Fund for CC&B projects, in a similar manner to that adopted in respect of the Sustainable Community Locality Fund.'*

*Each Member will be allocated the sum of £3,000 for distribution for CC&B projects and it is a condition that any funds distributed be in respect of projects that fall within the ambit of the Council's Climate Change and Biodiversity Strategy and Action Plan adopted on 17 December 2020 (and any subsequent amendments).*

*The Member allocating his/her budget or any part thereof to any project will submit six monthly reports from the recipient organisation. The reports shall comply with the reporting arrangements to be determined by the Leader of the Council and the Chair of the Overview and Scrutiny Panel.*

*The allocation will be initially for the financial year 2021-22, and to be reviewed during the budget setting process for 2022-23, when the spend, quality of projects and reports submitted by Members, along with any other competing budget pressures, will be taken into consideration.'*

In discussion, there was widespread support expressed for the motion and the proposer and seconder were both thanked for putting it on this agenda.

It was then:

### **RESOLVED**

Following the decision of Full Council at its meeting on 11 February 2021 to allocate the sum of £200,000 to Climate Change and Biodiversity projects, it is resolved that part of this sum be allocated to Members as a CC&B Locality Fund for CC&B projects, in a similar manner to that adopted in respect of the Sustainable Community Locality Fund.

Each Member will be allocated the sum of £3,000 for distribution for CC&B projects and it is a condition that any funds distributed be in respect of projects that fall within the ambit of the Council's Climate Change and Biodiversity Strategy and Action Plan adopted on 17 December 2020 (and any subsequent amendments).

The Member allocating his/her budget or any part thereof to any project will submit six monthly reports from the recipient organisation. The reports shall comply with the reporting arrangements to be determined by the Leader of the Council and the Chair of the Overview and Scrutiny Panel.

The allocation will be initially for the financial year 2021-22, and to be reviewed during the budget setting process for 2022-23, when the spend, quality of projects and reports submitted by Members, along with any other competing budget pressures, will be taken into consideration.

### **(d) By Cllrs Brazil and O'Callaghan**

*'South Hams District Council continues to lobby government to close the loophole that allows domestic properties to switch to business rates and then pay nothing by claiming the small business exemption. Additionally, local authorities need to be permitted to charge up to 200% on second/holiday homes in their area.'*

In his introduction, the proposer made reference to:

- the details in relation to the recent Central Government announcement being awaited;
- his wish to thank the Leader for her unwavering support on this issue; and
- his belief that a 200% charge on second/holiday homes was a far more fairer form of taxation.

During the ensuing debate, the following points were raised:

- (a) Some Members supported the spirit of the motion but also emphasised the importance of the tourism industry to the South Hams;
- (b) A number of Members wished to record their thanks to Anthony Mangnall MP for his tireless work in progressing this matter but also recognised the need to maintain the pressure in this respect;
- (c) It was recognised that any initiative to charge 200% to second/holiday homeowners would require a change in primary legislation from Central Government.

It was then:

### **RESOLVED**

That South Hams District Council continues to lobby government to close the loophole that allows domestic properties to switch to business rates and then pay nothing by claiming the small business exemption. Additionally, local authorities need to be permitted to charge up to 200% on second/holiday homes in their area.

### **(e) By Cllrs Baldry and Thomas**

1. *Many South Hams councillors live quite a distance from Totnes. For some it is an hour a round trip to attend meetings. It isn't always easy, particularly during winter time to attend all the meetings because of inclement weather and work commitments*
2. *SHDC has declared a climate emergency and by attending meetings via Teams or Zoom we are not driving and using non-renewal resources but are cutting down on our carbon footprint – a priority of this council.*
3. *Virtual meetings have saved the council a considerable amount of money.*
4. *Councillors wish to attend SHDC meetings but are also keen to attend meetings of the Parish and Town Councils within their wards. Some are also County Councillors and there is often a clash of dates. This means that councillors have to choose which to attend. The result is less engagement with the District Council, or the County Council or the Parish Councils. Having remote meetings means that councillors can more easily attend most of the meetings, to the advantage of all the councils.*

5. *The engagement of the public and press has also generally increased. The level of reporting about council business has increased as physical meetings no longer attracted the local press due to cutbacks in their staff.*
6. *For some councillors who have work commitments, mobility issues or are carers remote meetings have been easier for them to attend. This may well help to attract a wider age range of potential councillors in future elections.*

*This Council would like to have the flexibility to hold remote and physical meetings. We recognise that some meetings are better dealt with physically and we also recognise that perhaps a hybrid model could also work successfully.*

*This Council resolves to*

1. *Write to the Ministry of Housing, Communities and Local Government (MHCLG) urging that the temporary change to the meeting rules set out in the Local Government Act 1972 be made permanent so that after May we have the flexibility to hold meetings remotely or physically or by using a combination of the two.*
2. *Write to our MPs, the County Council and Town and Parish Councils asking for support for this flexible approach to council meetings.*
3. *Once our request is successful to explore the use of technology to develop remote meetings even more in order to attract a wider audience.”*

In debate on the motion, particular reference was made to:-

- (a) the view that hybrid arrangements would be appropriate in the future;
- (b) the concerns of the Council being similarly shared by a number of local town and parish councils;
- (c) the benefits of remote meetings. Whilst there were limitations with meeting remotely, there had also been a number of benefits that included:
  - the savings in travel and mileage;
  - the consequent reduction in carbon footprint; and
  - increased attendance at meetings by Members.

It was then:

### **RESOLVED**

1. Many South Hams councillors live quite a distance from Totnes. For some it is an hour a round trip to attend meetings. It isn't always easy, particularly during winter time to attend all the meetings because of inclement weather and work commitments;

2. SHDC has declared a climate emergency and by attending meetings via Teams or Zoom we are not driving and using non-renewal resources but are cutting down on our carbon footprint – a priority of this council.
3. Virtual meetings have saved the council a considerable amount of money.
4. Councillors wish to attend SHDC meetings but are also keen to attend meetings of the Parish and Town Councils within their wards. Some are also County Councillors and there is often a clash of dates. This means that councillors have to choose which to attend. The result is less engagement with the District Council, or the County Council or the Parish Councils. Having remote meetings means that councillors can more easily attend most of the meetings, to the advantage of all the councils.
5. The engagement of the public and press has also generally increased. The level of reporting about council business has increased as physical meetings no longer attracted the local press due to cutbacks in their staff.
6. For some councillors who have work commitments, mobility issues or are carers remote meetings have been easier for them to attend. This may well help to attract a wider age range of potential councillors in future elections.
7. This Council would like to have the flexibility to hold remote and physical meetings. We recognise that some meetings are better dealt with physically and we also recognise that perhaps a hybrid model could also work successfully.

This Council resolves to

1. Write to the Ministry of Housing, Communities and Local Government (MHCLG) urging that the temporary change to the meeting rules set out in the Local Government Act 1972 be made permanent so that after May we have the flexibility to hold meetings remotely or physically or by using a combination of the two.
2. Write to our MPs, the County Council and Town and Parish Councils asking for support for this flexible approach to council meetings.
3. Once our request is successful to explore the use of technology to develop remote meetings even more in order to attract a wider audience.

**(f) By Cllrs Hodgson and Rose**

*“This Council supports the government’s Active Travel Initiative and agrees to work with Devon County Council to ensure this important pedestrian and cycling infrastructure linking towns and rural villages is fully developed in a timely manner and maintained, to recognise the significance of these non-vehicular routes to the health and well-being of South Hams residents and visitors and to enable behaviour change in line with responding to the Council’s declaration of a climate and biodiversity Emergency and Devon County Council’s Carbon Plan”.*

During discussion, the following points were raised:-

- (a) The close linkages to the Council's Climate Change and Biodiversity Emergency was highlighted;
- (b) The importance of both adequate infrastructure being in place and behavioural changes being implemented were recognised;
- (c) It was recognised that finance would not satisfy all potential schemes and the need to prioritise was therefore emphasised.

It was then:

### **RESOLVED**

This Council supports the government's Active Travel Initiative and agrees to work with Devon County Council to ensure this important pedestrian and cycling infrastructure linking towns and rural villages is fully developed in a timely manner and maintained, to recognise the significance of these non-vehicular routes to the health and well-being of South Hams residents and visitors and to enable behaviour change in line with responding to the Council's declaration of a climate and biodiversity Emergency and Devon County Council's Carbon Plan.

### **(g) By Cllrs Hodgson and Rose**

*"In line with this Council's climate and biodiversity emergency, this council commits to work with Devon County Council to implement Air Quality Management Action plans in SHDC to:*

- Improve recording of air pollutants (including Nitrous Oxides and particulates) to ensure accurate and comprehensive real time data collection*
- Assess and report the cumulative impacts on human health and wildlife within 10 meters of monitored public highways and footpaths*
- Address and significantly reduce the air quality issues in those zones as a matter of priority*
- Implement urgent measures to protect residents from the impacts of these pollutants."*

In her introduction, the proposer highlighted the cumulative effects on wildlife corridors, hedgerows and residential areas and stated that these were all related to increased traffic. Furthermore, increased vehicular movements were also leading to increased instances of childhood asthma.

In discussion, the following amendment was **PROPOSED** and **SECONDED**:-

*"In line with this Council's climate and biodiversity emergency, this council commits to work with Devon County Council to implement Air Quality Management Action plans, **where Air Quality Management Areas have been declared**, in SHDC to:*

- *Continue to record air pollutants Nitrogen Dioxide) to ensure accurate and comprehensive data collection; and*
- *Work with partners and stakeholders to review the Air Quality Action Plans to secure compliance with national air quality objectives.*

Whilst some Members expressed their support for the amendment, other Members felt that it diluted the original motion and omitted any reference to tangible actions.

When put to the vote, the amendment was declared, by virtue of a Chairman's Casting Vote, to be **CARRIED**.

It was then:

### **RESOLVED**

In line with this Council's climate and biodiversity emergency, this council commits to work with Devon County Council to implement Air Quality Management Action plans, where Air Quality Management Areas have been declared, in SHDC to:

- o Continue to record air pollutants Nitrogen Dioxide) to ensure accurate and comprehensive data collection; and
- o Work with partners and stakeholders to review the Air Quality Action Plans to secure compliance with national air quality objectives.

54/20

## **REPORTS OF BODIES**

### **RESOLVED**

That the minutes and recommendations of the undermentioned Bodies be received and approved subject to any amendments listed below:-

- a) Audit Committee – 15 October 2020;
- b) Overview and Scrutiny Panel – 19 November 2020;
- c) Development Management Committee – 2 December 2020;
- d) Executive – 17 December 2020;

### **E.50/20 MONTH SEVEN REVENUE BUDGET MONITORING 2020/21 (to the end of October 2020)**

### **RESOLVED**

That £100,000 be transferred into a COVID Earmarked Reserve, to protect against future COVID losses in 2021-22 (as set out in Section 1.8 of the attendant report).

## **E.51/20 DRAFT REVENUE BUDGET PROPOSALS FOR 2021-22**

### **RESOLVED**

That the Council continue to be part of the Devon Business Rates Pool for 2021/22, subject to there being no announcements within the Finance Settlement (expected to be announced in the week commencing 14 December), which in the opinion of the S151 Officer (in consultation with the Leader of the Council and the lead Executive Member for Finance), would change this recommendation.

- e) Development Management Committee – 6 January 2021;
- f) Joint O&S Panel and Development Management Committee – 14 January 2021;
- g) Overview and Scrutiny Panel – 14 January 2021;
- h) Salcombe Harbour Board – 18 January 2021;
- i) Executive – 28 January 2021

## **E.58/20 REPORTS OF OTHER BODIES**

### **b) Joint O&S Panel and DM Committee – 14 January 2021**

#### **ii) OSDM.16/20: REVIEW OF FEES AND CHARGES FOR 2021-22**

### **RESOLVED**

1. That the level of fees and charges for Parks, Open Spaces and Outdoor Sports for 2021/22 be maintained at the current levels with no proposed increases (as set out in Appendix A of the presented agenda report to the Joint Meeting);
2. That the Environmental Health charges for 2021/22 be maintained at the current levels with no proposed increases (as set out at Appendix B of the presented agenda report to the Joint Meeting);
3. That the level of Fees and Charges for Planning Applications and Enforcement for 2021/22 be maintained at the current levels with no proposed increases (as set out at Appendix C of the presented agenda report to the Joint Meeting);
4. That the proposed fees and charges for Street Naming for 2021/22 be approved as set out at Appendix C of the presented agenda report to the Joint Meeting;
5. That the proposed Section 106 Monitoring fees for 2021/22 (as set out at Appendix C of the report presented to the Joint Meeting) be approved;



6. That delegated authority be given to the Director of Place and Enterprise, in consultation with the lead Executive Member, to set the Dartmouth Lower Ferry Fees in order to take account of market conditions, including competitor charges;
7. That the proposed changes to Boat Storage Charges (as set out in paragraph 3.10 of the presented agenda report to the Joint Meeting) be approved;
8. That delegated authority be given to the Section 151 Officer, in consultation with the lead Executive Member, to set the Local Land Charges as appropriate to ensure cost recovery; and
9. That delegated authority be given to the relevant Head of Practice, in consultation with the relevant lead Executive Member, to adjust Fees and Charges within their service area by inflation at suitable periodic intervals, with reports being presented to the Executive as appropriate.

#### **E.64/20 DEVON DISTRICTS' PROCUREMENT STRATEGY**

##### **RESOLVED**

That the Devon Districts Procurement Strategy 2019-2022 (including the objectives set out in recommendation 2 of the presented agenda report) be adopted.

- j) Development Management Committee – 3 February 2021
- k) Audit Committee – 4 February 2021
- l) Council Tax Setting Panel – 23 February 2021
- m) Overview and Scrutiny Panel – 25 February 2021
- n) Development Management Committee – 3 March 2021
- o) Executive – 11 March 2021

#### **E.70/20 “BETTER HOMES, BETTER LIVES” ADOPTION OF SOUTH HAMS AND WEST DEVON HOUSING STRATEGY 2021-2026**

##### **RESOLVED**

That the “Better Homes, Better Lives” South Hams and West Devon Housing Strategy 2021-2026 be adopted.

#### **E.71/20 MONTH 10 REVENUE BUDGET MONITORING 2020/2021 (TO THE END OF JANUARY 2021)**

## **RESOLVED**

1. That the Business Rates Pooling Gain of £225,000 for 2020/21 be transferred into the Business Rates Retention Earmarked Reserve (*NB. this would leave a remaining surplus on the 2020/21 Accounts of £96,000 (£321,000 less £225,000) against the 2020/21 Amended Budget*);
2. That the £120,000 of salary savings from 2020/21 be transferred into a Salary Savings Earmarked Reserve to be ringfenced to support salary costs in 2021/22 (as set out in Section 1.8 of the presented agenda report); and
3. That £80,000 of the underspend in the Waste Budget be transferred into the Sustainable Waste Management Earmarked Reserve to reflect the fact that the majority of the implementation costs of the Devon Aligned Service will now be in 2021/22, as opposed to being anticipated to be in 2020/21 (as set out in Section 1.11 of the presented agenda report to the Executive).

### **E.73/20 PUBLIC SPACE PROTECTION ORDER – DOG CONTROLS**

Prior to the vote being taken, it was confirmed that comments had been received from Bigbury since the Executive meeting had been held and the wording of the Schedule to the Order had therefore been reviewed in order to clarify the feedback received.

It was then:

## **RESOLVED**

That, with immediate effect, the Public Space Protection Order 2021 (as set out at Appendix 1 of the presented agenda report) for three years to 24 March 2024 be adopted. The 2021 Order will apply the following district wide provisions requiring dog walkers to:

- a) Carry the means to pick up and to pick up dog waste;
- b) Keep dogs on leads on land designated as a 'Dogs on Lead Area';
- c) Comply to put and keep dogs on leads if so directed (by an authorised officer);
- d) Prevent dogs from accessing a 'Dog Exclusion Zone' (which is not a beach); and
- e) Prevent dogs from accessing specified beaches designated, at times, as 'Dog Exclusion Zones'.

### **E.74/20 HARBOUR DEPOT, BATSON CREEK, SALCOMBE**

## **RESOLVED**

- 1) That approval be given to proceeding with the construction of the new Harbour Depot at Batson Creek, Salcombe in accordance with the existing planning permission (Ref. 1522/19/FUL);
- 2) That the revised Business Case (as set out at Exempt Appendix A of the presented agenda report to the Executive meeting) be approved, increasing the Capital Budget from £1 million to £1.425 million;
- 3) That approval be given to proceeding with awarding the Construction Contract (as set out at Exempt Appendix A of the presented agenda report to the Executive meeting);
- 4) That approval be given to proceeding with the delivery of the new substation and 1MW transformer through Western Power Distribution;
- 5) That £200,000 from the Marine Infrastructure Reserve be used to fund part of the capital cost of the project; and
- 6) That an internal borrowing facility be made available to Salcombe Harbour Authority, in the form of a 50 year loan of up to £1.225 million at a fixed interest rate of 1.5% to fund the construction.

## **E.75/20 COMMERCIAL UNITS, BATSON CREEK, SALCOMBE**

### **RESOLVED**

- 1) That approval be given to proceeding with the construction of the five new Commercial Units at Batson Creek, Salcombe in accordance with the existing planning approval (Ref. 1505/19/FUL);
- 2) That the revised Business Case (as set out at Exempt Appendix A of the presented agenda report to the Executive meeting) be approved, increasing the Capital Project Budget from £1 million to £1.28 million;
- 3) That approval be given to proceeding with awarding the Construction Contract (as set out at Exempt Appendix A of the presented agenda report to the Executive meeting);
- 4) That approval be given to proceeding with the delivery of the new substation and 1MW transformer through Western Power Distribution; and
- 5) That the project be financed through internal borrowing, in the form of a 50 year loan of up to £780,000 at a fixed Interest Rate of 1.5% to fund the construction, with the remainder to be funded through capital receipts (as previously approved).

(Meeting commenced at 2.00pm and concluded at 6.10 pm)

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Chairman