

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD VIA TEAMS ON THURSDAY, 11 MARCH 2021**

| Members in attendance: | | | |
|--|----------------------------------|---|----------------------------|
| * Denotes attendance | | | |
| ∅ Denotes apologies for absence | | | |
| * | Cllr K J Baldry | * | Cllr N A Hopwood |
| * | Cllr H D Bastone (Vice Chairman) | * | Cllr J A Pearce (Chairman) |
| * | Cllr J D Hawkins | | |

| Also in attendance: |
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| Cllrs Abbott, Austen, Birch, Brazil, Hodgson, Holway, Kemp, Long, McKay, O'Callaghan, Pringle, Reeve, Rowe, Spencer, Sweet and Taylor |

| Officers in attendance and participating: | | |
|--|---------|---|
| All items | | Senior Leadership Team; Monitoring Officer; and Democratic Services Manager |
| Item 7 | E.70/20 | Head of Housing, Revenues and Benefits |
| Item 10 | E.73/20 | Senior Specialist – Environmental Health |

E.65/20 MINUTES

The minutes of the Executive meeting held on 28 January 2021 were confirmed as a true and correct record.

E.66/20 URGENT BUSINESS

The Chairman advised that she had agreed for one urgent item to be raised at this meeting that related to the 'Plymouth and South Devon Freezone'. This item was considered urgent in light of the associated time constraints and would be considered immediately.

(a) Plymouth and South Devon Freezone

The Leader proceeded to introduce this urgent item and presented a Briefing Paper that described how the Freezone was an opportunity to shape national policy around our own objectives; secure up to £17 million of infrastructure funding; drive inward investment and exceed our already ambitious Joint Local Plan delivery targets for employment sites, jobs and the economy.

In discussion, whilst some Members remained sceptical over the 'Freezone' initiative and were wary of the potential resource implications on the Council's already stretched workforce, other Members emphasised the significance of this opportunity and the likely enormity of the benefits to the South Hams.

It was then:

RESOLVED

1. That the contents of the Briefing Note be noted;
2. That the Council works with the Ministry of Housing, Communities and Local Government (MHCLG) and partner organisations to work up the detail of the Plymouth and South Devon Freezone; and
3. That it be noted that, once the detail of the Plymouth and South Devon Freezone has been finalised, the Director of Place and Enterprise will bring a further report seeking a formal decision as to whether to proceed or not.

E.67/20 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.68/20 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.69/20 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.

In so doing, the Chairman of the Overview and Scrutiny Panel advised that there was some public perception that progress against the Council's Climate Change & Biodiversity Action Plan had suffered as a result of the COVID-19 Pandemic. To reassure the public, the Panel Chairman proceeded to ask whether an update on the Action Plan could be brought forward to the Executive earlier than was set out in its Forward Plan (June). In response, the Leader highlighted the Council resolution arising from the Council Meeting held on 17 December 2020 (Minute 28/20 refers) that committed to six-monthly reviews being presented to the Executive and the Overview and Scrutiny Panel and she did not see the need to bring a report before June. However, the Leader did commit to providing a progress update to Members via a Briefing Paper in a future Members' Bulletin edition.

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

Members were presented with a report that sought to recommend to Council the adoption of “Better Homes, Better Lives” 2021-2026 Housing Strategy for South Hams and West Devon.

In discussion, Members thanked those individuals and organisations that had made representations during the public consultation exercise for their well-informed comments. In addition, a number of Members wished to record their thanks to the lead officers (and in particular the Head of Housing, Revenues and Benefits) for their hard work in developing such a comprehensive Strategy and Action Plan whilst also being heavily involved in the Council’s response to the COVID-19 Pandemic.

It was then:

RECOMMENDED

- 1) That the Executive **RECOMMEND** to Council that the “Better Homes, Better Lives” South Hams and West Devon Housing Strategy 2021-2026 be adopted; and
- 2) That the Delivery Plan for 2021 be agreed.

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

The Executive considered a report that presented the Month 10 (to the end of January 2021) Revenue Budget Monitoring Report.

In discussion, reference was made to the Schedule of Reserves (as set out Appendix A of the presented agenda report). Whilst accepting that a proportion of the Reserves were allocated, a non-Executive Member questioned the plans for those that were unallocated. In response, the Leader advised that some of these unallocated monies would be used when the Council entered ‘high season mode’ (from 1 April) during which provision would be increased for services including street cleaning and localities. As a consequence, it was agreed that, for monitoring purposes, these additional spends should be fully documented.

It was then:

RESOLVED

1. That the significant forecast income and expenditure variations for the 2020/21 Financial Year and the overall projected surplus of £321,000 against the 2020/21 Amended Budget (3.41% of the total Budget of £9.41 million) be noted;

2. That Council be **RECOMMENDED** to transfer the Business Rates Pooling Gain of £225,000 for 2020/21 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*);
3. That Council be **RECOMMENDED** to transfer £120,000 of salary savings from 2020/21 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);
4. That Council be **RECOMMENDED** to transfer £80,000 of the underspend in the Waste Budget 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); and
5. That Council be **RECOMMENDED** to transfer any award from the National Leisure Recovery Fund (the National £100 million Leisure Fund) into a Leisure Earmarked Reserve (as set out in Section 1.13 of the presented agenda report). (NB. the Council's Indicative allocation is £160,000, which has been applied for).

E.72/20

CAPITAL PROGRAMME MONITORING

Consideration was given to a report that advised Members of the progress on individual schemes within the approved Capital Programme. The report also included an assessment of the financial position of each of these schemes.

In discussion, a local Ward Member for Kingsbridge made reference to the section in the presented agenda report titled: 'investing in Kingsbridge'. Having sought assurances, the Deputy Leader gave the Member a commitment that the local Ward Members and Kingsbridge Town Council would be fully consulted from the infancy of any proposals being considered.

It was then:

RESOLVED

That the contents of the Monitoring Report be noted.

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

A report was considered that requested that the Executive recommend to Council that a Public Space Protection Order 2021 be adopted in relation to the Control of Dogs for three years from 25 March 2021.

In discussion, the following points were raised:-

- (a) For clarity, it was recognised that part (a) of the report recommendation should be amended to read to: '*Carry the means to pick up and to pick up dog waste*'. At the point when the recommendation was proposed and seconded, this addition was included;
- (b) The lead officer confirmed that she would provide an explanation on the South Hams feedback to the consultation exercise (Appendix 2 of the presented agenda report refers) to interested Members outside of the meeting;
- (c) In emphasising the importance of policing the Order, Members were informed that localities officers had the powers to issue penalty tickets;
- (d) Since the proposals within the Order presented dog walkers with a choice to be able to access certain specified beaches, this was felt to represent a fair balance.

It was then:

RECOMMENDED

That, with immediate effect, Council be **RECOMMENDED** to adopt the Public Space Protection Order 2021 (as set out at Appendix 1 of the presented agenda report) for three years to 24 March 2024. 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

The Executive considered a report that provided a Harbour Depot project update and sought to recommend to Council a series of corresponding recommendations.

During the ensuing discussion, reference was made to:-

- (a) widespread support being expressed for the project. In addition, it was noted that a version of the report was also to be considered at the Salcombe Harbour Board meeting to be held on Monday, 15 March and it was hoped that similar support would be expressed at this meeting;
- (b) the disruption of Creek Car Park. The Leader highlighted the inevitable disruption to Creek Car Park and requested that officers work closely with Salcombe Town Council in order to minimise the impact.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council to:

- 1) approve 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) approve the revised Business Case (as set out at Exempt Appendix A of the presented agenda report), increasing the Capital Budget from £1 million to £1.425 million);
- 3) approve proceeding with awarding the Construction Contract (as set out at Exempt Appendix A of the presented agenda report);
- 4) approve proceeding with the delivery of the new substation and 1MW transformer through Western Power Distribution;
- 5) approve the use of £200,000 from the Marine Infrastructure Reserve to fund part of the capital cost of the project; and
- 6) make an internal borrowing facility 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.

(NB. in accordance with Executive Procedure Rule 1.9.4, Cllr Pearce (as a local Ward Member) took part in the debate, but abstained from the vote on this agenda item).

E.75/20

COMMERCIAL UNITS, BATSON CREEK, SALCOMBE

The Deputy Leader presented a report that provided a Commercial Units project update and sought to recommend to Council a series of corresponding recommendations.

In discussion, some Members stated the importance of these units being for Marine Business use and it was emphasised that every step should be taken by the Council to ensure that this was the end result.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council to:

- 1) approve 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) approve the revised Business Case (as set out at Exempt Appendix A of the presented agenda report), increasing the Capital Project Budget from £1 million to £1.28 million;
- 3) approve proceeding with awarding the Construction Contract (as set out at Exempt Appendix A of the presented agenda report);
- 4) approve proceeding with the delivery of the new substation and 1MW transformer through Western Power Distribution; and
- 5) Finance the project 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).

(NB. in accordance with Executive Procedure Rule 1.9.4, Cllr Pearce (as a local Ward Member) took part in the debate, but abstained from the vote on this agenda item).

E.76/20

RELEASE OF SECTION 106 FUNDS FOR AN AFFORDABLE HOUSING PROJECT AT BUTTERPARK, IVYBRIDGE

Members gave consideration to a report that sought to allocate £167,200 of Section 106 funds towards an affordable housing project for adults with learning disabilities at Butterpark, Ivybridge.

During discussion, both Executive and local Ward Members paid tribute to the work of Ivybridge Town Council in progressing this scheme, which was felt to be an excellent use of Section 106 monies.

It was then:

RESOLVED

That the Executive approve the allocation of £167,200 of Section 106 funds from the contribution from Cornwood Road, Ivybridge to spend on an affordable housing project for adults with learning disabilities at Butterpark, Ivybridge on land owned by Ivybridge Town Council (subject to planning approval being gained).

E.77/20 REQUEST FOR GRANT OF LONG LEASEHOLD RENEWAL

A report was considered that sought to overcome some anomalies that had been identified with the existing lease to Bickleigh Parish Council for the Woolwell Centre.

In discussion, support was expressed for the proposed recommendation.

It was then:

RESOLVED

That authority be delegated to the Head of Practice for Assets, in consultation with the Section 151 Officer and Leader of the Council, to progress and conclude negotiations of a lease renewal to Bickleigh Parish Council for a term in excess of 15 years.

(NB. in accordance with Executive Procedure Rule 1.9.4, Cllr Hopwood (as the local Ward Member) took part in the debate, but abstained from the vote on this agenda item).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.70/20 PART 1, E.71/20 PARTS 2, 3, 4 AND 5, E.73/20, E.74/20, AND E.75/20 WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 25 MARCH 2021, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 22 MARCH 2021 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 3:00 pm and concluded at 4.40 pm)

Chairman