

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY, 3 MARCH 2022**

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

Non-Executive Members also present either in person or remotely for all or part of the meeting:
Cllrs Abbott, Birch, Brazil, Kemp, Long, McKay, O'Callaghan, Pringle, Reeve and Spencer

Officers in attendance and participating:		
All items		Senior Leadership Team; Monitoring Officer; and Democratic Services Manager
Item 7	Minute E.88/21	Head of Housing
Item 8	Minute E.89/21	Head of Waste and Environmental Services
Item 9	Minute E.90/21	Head of Development Management
Items 11 and 12	Minutes E.92/21 and E.93/21	Deputy Section 151 Officer and Senior Specialist – Place Making
Item 13	Minute E.94/21	Fusion Lifestyle Area Manager
Item 14(a)	Minute E.95/21(a)	Senior Specialist – Climate Change

E.84/21 MINUTES

The minutes of the Executive meeting held on 27 January 2022 were confirmed as a true and correct record.

At the Chairman's discretion, the lead Member for Environment was permitted to provide a statement to the meeting that related to Minute E.77/21 (Executive Forward Plan) and the matter of Garden Waste. In so doing, the Member advised that, following significant pressure being exerted onto FCC Environment, at a meeting held yesterday, it was confirmed that the organisation would be reinstating the Garden Waste service with effect from Monday, 28 March 2022.

E.85/21 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 there were none made.

E.86/21 PUBLIC QUESTION TIME

The Leader informed that, whilst the following public question had been received from Mr Ian Bentlett in accordance with the Executive Procedure Rules, an officer response had since been provided to the questioner that had resulted in it being withdrawn from consideration at this Meeting:

“Ashmeadow Committee welcomes the initiative to extend composting facilities elsewhere but request a statement of confidence from the council that the extension will not, in any way, impact the service and income we have to date received for our own scheme including the mowing arrangement for our playing fields.”

The Deputy Chief Executive confirmed that discussions had been undertaken with representatives of the Ashmeadow Committee and they had proven to be very useful and had resulted in officers committing to contacting representatives from the other existing Community Composting Sites that were located in the district.

E.87/21 EXECUTIVE FORWARD PLAN

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 and duly noted its contents.

E.88/21 HOUSING CRISIS – ‘STEP ON’ SCHEME

A report was considered that sought the recommendation to Council of the pilot ‘Step On’ Scheme.

In discussion, a number of Members wished to put on record their support for this initiative, which it was hoped would lead to more residents being given the opportunity to get on to the housing ladder. In addition, the speed at which this Scheme had come forward was also welcomed by Members.

It was then:

RESOLVED

1. That, with effect from 1 April 2022, Council be **RECOMMENDED** to adopt the pilot 'Step On' Scheme; and
2. That it be noted that the initial funding of £60,000 be taken from the £407,557 New Homes Bonus Grant for 2022/23.

E.89/21

COMMUNITY COMPOSTING SCHEME

The Executive was presented with a report that sought agreement to the adoption of a new two-year Community Composting Scheme that would provide operational and financial assistance to new and existing sites.

In discussion, the following points were raised:-

- (a) Being community led, Members were strongly of the view that the onus was on the local community to identify potential sites. Furthermore, the benefits of neighbouring towns and parishes working collaboratively to bring forward potential sites was recognised;
- (b) In addition to lead officers being thanked for their hard work and efforts in reaching this point, the lead Member wished to put on record his particular thanks for the excellent work that was being undertaken by existing Community Compositing sites.

It was then:

RESOLVED

1. That the proposed Community Composting Scheme be approved;
2. That the guidance document supporting the Scheme (as set out at Appendix A of the presented agenda report) be approved; and
3. That authority be delegated to the Director of Customer Service Delivery, in consultation with the lead Executive Member for Environment, to award funding to new schemes that meet the criterial set out in Appendix A of the presented agenda report.

E.90/21 **PLANNING IMPROVEMENT PLAN UPDATE: LOCAL VALIDATION LIST AND PLANNING CHARTER**

Consideration was given to a report that provided an update on the progress of two specific actions that were contained within the adopted Planning Improvement Plan. In particular, the report recommended the adoption of the revised Local Validation List (as attached at Appendix 1 of the published agenda report) and the Planning Charter (as set out at Appendix 2 of the published agenda report).

During discussion, the Executive acknowledged the consequent contribution of an updated Local Validation List to the Council's declared Climate Change and Biodiversity Emergency.

It was then:

RESOLVED

1. That Council be **RECOMMENDED** to approve the Local Validation List (as set out at Appendix 1 of the published agenda report);
2. That the Planning Charter (as set out at Appendix 2 of the published agenda report) be approved; and
3. That any amendments to the Planning Charter be delegated to the Director of Strategy and Governance, in consultation with the lead Executive Member for the Built and Natural Environment.

E.91/21 **REGENERATION AND INVESTMENT STRATEGY**

Members considered a report that sought to recommend to Council the adoption of a revised Regeneration and Investment Strategy.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to approve an update to the Commercial Investment Strategy, in the form of the newly titled: 'Regeneration and Investment Strategy' (as set out at Appendix A of the presented agenda report).

E.92/21 **MONTH 10 REVENUE BUDGET MONITORING 2021/22**

The Executive considered a report that enabled for the monitoring of income and expenditure variations against the approved Budget for 2021/22 and provided a forecast for the year-end position.

In discussion, it was agreed that a greater explanation would be provided to interested Members outside of the meeting on the significant additional income generated from Car Parking in the Bigbury and Salcombe Car Parks (with Salcombe including Boat Parking) in comparison to previous years. As a way forward, the Section 151 Officer committed to providing an update in a future edition of the Members' Bulletin.

It was then:

RESOLVED

1. That the forecast income and expenditure variations for the 2021/22 Financial Year and the overall projected surplus of £90,000 (0.9% of the total Budget of £9.677 Million); and
2. That Council be **RECOMMENDED** to transfer £320,000 of the additional planning income into the Planning Policy and Major Developments Earmarked Reserve at the end of the 2021/22 Financial Year to manage future fluctuations in planning income.

E.93/21

MONTH 10 CAPITAL PROGRAMME MONITORING 2021/22

A report was considered that advised Members of the progress on individual schemes within the approved capital programme, including an assessment of their financial position.

In discussion, the following points were raised:-

- (a) As part of the next Capital Programme Monitoring Report, it was agreed that the anticipated future costs (that had been produced by the lead officer) in relation to Play Parks works would be included;
- (b) Members stressed the importance of all local Ward Members being proactive within their local communities and town and parish councils to ensure that Section 106 monies were spent before the deadline expired.

It was then:

RESOLVED

1. That the content of the Monitoring Report be noted; and
2. That Council be **RECOMMENDED** to increase the Play Area Renewals Reserve by £34,500 for the forecast underspend on Play Parks (as set out in paragraph 3.10 of the published agenda report), bringing the total Reserve up to £128,000.

E.94/21

FUSION LIFESTYLE – LEISURE CONTRACT SUPPORT UPDATE

The Executive considered a report that provided an update on current performance levels associated with the Leisure Contract; the recovery and business impact within the Contract and proposed contract variations in order to mitigate those impacts.

As part of her introduction, the Leader made reference to the fact that, typically, Councils had to make a significant annual revenue subsidy (payment) to leisure operators and that had been the case for South Hams District Council prior to this Leisure Contract coming into effect. Furthermore, the current Contract was now providing for an annual revenue income stream to be paid to the Council (a 'management fee income'), with the Council having made a capital investment in the Centre facilities.

During discussion, the following points were raised:-

- (a) Whilst some Members expressed their concerns, it was recognised that this agenda item would be given further consideration at the next Full Council meeting (to be held on 31 March 2022). As a result, these Members advised that they would expand upon their respective concerns at the Full Council meeting;
- (b) A local Ward Member requested that, at the time that the Council agenda was published, the agenda report be amended in order to include greater reference to the position regarding the arrangements for Totnes Leisure Centre;
- (c) A Member expressed the view that a copy of the published agenda report should have been considered by the Audit Committee before this Executive meeting;
- (d) In support of the proposals, Members were of the view that the COVID Losses Earmarked Reserve had been established for a purpose such as to support the Leisure industry, which had been severely hampered by the pandemic. Furthermore, the health and wellbeing implications and benefits that had already been realised by the Leisure Contract were highlighted.

RESOLVED

1. That the performance of the Fusion Contract to date; wider market trends; and the financial information on Fusion's performance in 2021 each be noted;
2. That Council be **RECOMMENDED** to approve the contract variation and changes to the Management Fee Profile as set out in Appendix A (Table 1) of the presented agenda report;

3. That Council be **RECOMMENDED** to fund the £272,242 shortfall in income of the Leisure Management Fee in 2021/22 from the Government COVID Grant funding (This funding is in the COVID Losses Earmarked Reserve);
4. That Council be **RECOMMENDED** to fund the £174,632 shortfall in income of the Leisure Management Fee in 2022/23 from the Government COVID Grant Funding (this Funding is in the COVID Losses Earmarked Reserve); and
5. That Council be **RECOMMENDED** to fund the £174,632 shortfall in income of the Leisure Management Fee in 2023/24 from the Government COVID Grant Funding (£33,915); the Leisure Earmarked Reserve (£42,851); and the Business Rates Retention Earmarked Reserve (£97,866).

E.95/21

REPORTS OF BODIES

(a) Overview and Scrutiny Committee – 4 November 2021

O&S.37/21: Task and Finish Group – Climate Change & Biodiversity Action Plan

During discussion, it was recognised that the Task and Finish Group had now been given the opportunity to consider the revised part 1 of the proposal and the Executive was supportive of the conclusions reached by the Group.

Specifically regarding point 3 of the recommendation, the lead officer outlined some of the steps that were being taken by the Council to provide additional support to the Climate Change & Biodiversity Specialist. These steps were welcomed by Members.

It was then:

RESOLVED

1. That, as a partner of the Devon Climate Emergency, South Hams District Council, through a revision of its Climate Change and Biodiversity Strategy and Action Plan (which will take place within 3 months of the publication of the final Devon Carbon Plan) will ensure the targets, indicators and monitoring of the Devon Carbon Plan, as well as its carbon budget periods, are included. In this revision, an interim target of 50% reduction in carbon emissions by 2030 below 2010 levels will be set and the action plan will be frontloaded with impactful actions, aligning with the DCP. Section 5.1 of the Interim Devon Carbon Plan outlines Devon's Net Zero Target, as well as detailing carbon budget periods to achieve net zero by 2050 at the latest.

The implementation of the Devon Carbon Plan will be monitored regularly, and a review will be triggered if carbon emissions are not reducing at the necessary pace. SHDC will contribute to future reviews as a partner and align its Action Plan reviews alongside the Devon Carbon Plan budget periods;

2. That the Council should setup a CC&B Community Partnership Group that brings together the range of expertise and energy to achieve the goals of the Action Plan. This could be established through a revision of, the current Community Forum. It is suggested that the six organisations that presented to this Task and Finish Group are invited to join the existing Community Forum members) along with relevant officers, any elected member, and the lead member for Climate Change and Biodiversity. A revised Terms of Reference will be agreed to set the context for the group with a rotating chair; and
3. That, in recognition that officer resources are limited, notwithstanding the remit of the Task and Finish Group, urgent consideration should be given to identify additional funds for CC&B and accessing other available funding streams to support our specialist Adam Williams either through recruitment or through employing relevant expertise.

(b) Overview and Scrutiny Committee – 20 January 2022

O&S.55/21 Devon Home Choice Review

RESOLVED

That the Council continue to be a member of Devon Home Choice.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.88/21 PART 1; E.90/21 PART 1; E.91/21; E.92/21 PART 2; E.93/21 PART 2; E.94/21 PARTS 2, 3, 4 AND 5 (WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 31 MARCH 2022) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 14 MARCH 2022 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10:00 am and concluded at 11.30 am)

Chairman