

**MINUTES OF THE SPECIAL MEETING OF THE SOUTH HAMS DISTRICT
COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 13 OCTOBER
2022**

MEMBERS

* Cllr L Austen – Chairman

* Cllr B Taylor – Vice-Chairman

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

* Denotes attendance

∅ Denotes apology for absence

** Denotes attendance via Teams in a non-voting capacity

Also in attendance:

Officers in attendance and participating:

For all items: Chief Executive; Director of Place & Enterprise; Director of Strategy & Governance (via Teams); Section 151 Officer; Monitoring Officer; Democratic Services Manager and Specialist – Neighbourhood Planning (Via Teams)

44/22 URGENT BUSINESS

The Chairman informed that he had agreed that one item of urgent business would be considered at this meeting that sought the approval of Council for both the Dartmouth and Kingsbridge, West Alvington and Churchstow Neighbourhood Plans (NPs) to proceed to Referenda.

It was confirmed that the item was considered to be urgent in light of the associated time constraints.

It was then:

RESOLVED

That the Dartmouth and Kingsbridge, West Alvington and Churchstow Neighbourhood Plans both proceed to Referenda.

45/22 DECLARATIONS OF INTEREST

At the time that declarations of interests were invited from the Chairman, there were none declared from Members. However, during the subsequent discussion on agenda item 4 'Plymouth and South Devon Freeport' (Minute 46/22 below refers) and, upon the advice of the Monitoring Officer, Cllr Bastone proceeded to declare a Disclosable Pecuniary Interest in that agenda item by virtue of being the Council's nominated Director of the Plymouth & South Devon Freeport and proceeded to leave the meeting during consideration of that agenda item.

46/22 PLYMOUTH AND SOUTH DEVON FREEPORT

Consideration was given to a report that sought Members' support for the Council to submit an Expression of Interest (EOI) for Investment Zone (IZ) status for the area currently designated as a Freeport

In discussion, the following points were raised:

- a) Clarity was sought on whether or not additional Seed Funding would be available to the Council should it submit an EOI for IZ status. In response, it was confirmed that no further Funding would be available but the other benefits were outlined;
- b) The composition of the Freeport Board was outlined and it was confirmed that it comprised of representatives of the Devon County, Plymouth City and South Hams District Councils as well as representatives from the private sector including the Sherford Consortium and Princess Yachts who's Director was the Chairman of the Governance Board;
- c) Some Members expressed concern at the lack of detail available surrounding IZ status and sought clarity on whether, if it were to be the Council's wish to submit an EOI as a result of this meeting, the decision would be binding. In reply, it was felt that once the official announcement had been made about the IZ status, there would be no further opportunity to revisit the decision;
- d) Further clarification of the IZ and Freeport boundaries was sought and Members also requested further detail on the benefits and operation of each. Officers proceeded to confirm the known details and Members were also advised that the agreed Governance procedures of the Freeport would be reflected in those of the IZ. Nonetheless, some Members reiterated that their concerns remained about the 'outer boundary' of the Freeport area;
- e) Some Members highlighted the apparent lack of clear Planning guidance within the IZ and the potential consequential impacts on the Area of Outstanding Natural Beauty and Sites of Special Scientific Interest, wildlife and the development of Affordable Housing.

Furthermore, comments contained within Government guidance stating that Planning applications would be fast tracked within Freeport and IZ areas were noted as being a further cause for concern. To mitigate these concerns, Members were reminded that the Freeport and IZ Boundaries were clear and limited to small areas within the South Hams district. It was further confirmed that the Planning consents pertaining to the Freeport area had already been secured;

- f) With regard to associated benefits that were linked to the proposals, reference was made to the Investment, Growth, Employment, Business and Training opportunities that the IZ would offer the district as a whole and that these benefits would be lost if the Council failed to submit an EOI before the deadline. As a result, a number of Members emphasised that it would be short sighted for the Council to miss out on such an opportunity;
- g) Confirmation was given by the Council's appointed representative on the Dartmoor National Park Authority (DNPA) that he had consulted DNPA officers on the Freeport / IZ boundary issue and that these Officers were confident that the Freeport activity was limited to the three named sites (Langage, Sherford and South Yard) and that there were no wider implications for the National Park;
- h) Due to the uncertainty surrounding whether or not the Council would have a further opportunity to consider its participation in the IZ, or if any decision taken at this meeting would be binding, an amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:

“That the Council submit an Expression of Interest for the Plymouth and South Devon Freeport to become an Investment Zone and in doing so gain additional economic incentives for the Sherford, Langage and South Yard sites. *Before any final decision is taken to progress with the Investment Zone, the matter is re-considered by Full Council*”

At this point, the Monitoring Officer advised Members that the current understanding was that this Special Council meeting was the opportunity for the Council to consider the proposal and that, if supported, there would be no further opportunity to review the status of the IZ.

(Having received this advice, the Chairman exercised his discretion to adjourn the meeting at 12.50pm, with the meeting then being reconvened at 1.00pm.)

Once reconvened, the Chief Executive acknowledged that the decision facing the Council was a particularly difficult one. However, in view of the Monitoring Officer's comments and the fact that the deadline for the submission of the EOI was the following day, there would be no further information or time available before the deadline for the Council to debate the matter and although the proposed amendment satisfied the Council's Rules of Debate, if supported, there would be no effective opportunity to be able to action it.

In view of these comments, the Proposer and Seconder proceeded to formally withdraw the amendment.

In closing the debate, the Leader responded to a number of the issues raised within the discussion and thanked those in attendance for their contributions in what had proven to be a very interesting debate.

At this point and, in accordance with Council Procedure Rule 17.5, a recorded vote was then called for on the recommendation and the voting was recorded as follows:

For the motion (13): Cllrs Austen, Brown, Foss, Holway, Hopwood, Jones, Pearce, Pringle, Reeve, Rowe, Smerdon, Spencer and Taylor

Against the motion (11): Cllrs Abbott, Baldry, Birch, Brazil, Hodgson, Long, O'Callaghan, Pannell, Pennington, Sweett and Thomas

Abstentions (0): None.

Absent (7): Cllrs Bastone, Chown, Hawkins, Jackson, Kemp, McKay and Rose.

And the vote on the motion was therefore declared **CARRIED**.

It was then:

RESOLVED

That the Council submit an Expression of Interest for the Plymouth and South Devon Freeport to become an Investment Zone and, in doing so, gain additional economic incentives for the Sherford, Langage and South Yard sites.

(Meeting commenced at 11.30 am and concluded at 1.15 pm)

Chairman