

SOUTH HAMS COUNCIL



Minutes of a meeting of the **South Hams Council** held on
Thursday, 25th May, 2023 at 10.00 am at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Pannell
Vice Chairman Cllr Taylor

Cllr Abbott	Cllr Allen
Cllr Bonham	Cllr Brazil
Cllr Carson	Cllr Cooper
Cllr Dennis	Cllr Dewynter
Cllr Dommett	Cllr Hancock
Cllr Hawkins	Cllr Hodgson
Cllr Hopwood	Cllr Lawford
Cllr Long	Cllr McKay
Cllr Munoz	Cllr Nix
Cllr O'Callaghan	Cllr Oram
Cllr Penfold	Cllr Presswell
Cllr Rake	Cllr Steele
Cllr Thomas	Cllr Yardy

In attendance:

Councillors:
Cllr J Birch (via Teams)
Cllr S Jackson (via Teams)

Officers:
Senior Leadership Team
Monitoring Officer
Democratic Services Manager
Head of Communications
Head of Economy & Place (via Teams)
Community Services Operations Manager (via Teams)

1. **Election of the Chairman of the Council;**

01/23

RESOLVED

That Cllr G Pannell be elected Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2024.

Cllr Pannell subsequently declared and signed his acceptance of office.

2. **Address by the New Chairman of Council;**

02/23

In addressing the Council, Cllr Pannell offered his congratulations to the newly elected Members and welcomed them to their first Council meeting and sympathised with those who had lost their seats. He expressed his honour at being elected as Chairman of the Council and wished to put on record his particular thanks to Mr Austen for the way that he had chaired the Council during 2022/23.

During his address, Cllr Pannell made specific reference to:-

- his expectation that it would be an exciting and stimulating year;
- his wish that Members would all work in the best interests of the South Hams and its residents, and that he would do his best to foster a spirit of cooperation, albeit with some lively political debate;
- his chosen charity for the Municipal Year being the RNLI (Royal National Lifeboat Institution).

3. **Vote of thanks to the Retiring Chairman**

03/23

In proposing and seconding the vote of thanks to the retiring Chairman, particular reference was made to the non-partisan way that Mr Austen had chaired Council meetings, some of which had proven to have had particularly contentious debates. The proposer and seconder both expressed the view that Mr Austen had been a credit to South Hams District Council.

It was then:

RESOLVED

That the thanks of the Council be extended to Mr Austen for the manner in which he had performed his duties during his term of office as Chairman of the Council.

4. **Response by the Retiring Chairman**

04/23

At the invitation of the meeting, the retiring Chairman thanked Members for their kind comments.

5. **Appointment of the Vice Chairman of the Council;**

05/23

RESOLVED

That Cllr B Taylor be appointed Vice Chairman of the Council for the period expiring on the date of the Annual Meeting of the Council in 2024.

Cllr Taylor subsequently declared and signed his acceptance of office.

6. **Minutes**

06/23

The minutes of the meeting of Council held on 30 March 2023 and the Special meeting of Council held on 13 April 2023 were both confirmed as a correct record.

7. **Declarations of Interest**

07/23

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.

8. **Election of Leader of the Council and Chairman of the Executive for the four year term from 2023/24**

08/23

RESOLVED

That Cllr J Brazil be elected Leader of the Council and Chairman of the Executive for the period expiring on the date of the Annual Meeting of the Council in 2027.

In expressing his gratitude at being elected Leader of the Council, Cllr Brazil revealed to the Council that, in accordance with the Strong Leader model (Minute 57/10 refers), and in his wish of this being an inclusive Council, he had chosen to appoint Cllr Thomas to the position of Deputy Leader for the period expiring on the date of the Annual Meeting of the Council in 2027. Furthermore, he had decided to appoint Cllrs Abbott, Birch, McKay, O'Callaghan, Hodgson and Hopwood to serve with him and the Deputy Leader on the Executive.

Cllr Brazil proceeded to express his wish for this Council term to be one of consensus and compromise. He stated that his aim was for the Council to deliver against the elements contained within the recent South Hams Liberal Democrat Group Election Manifesto particularly in relation to Housing and Climate Change and Biodiversity. In addition, it was essential that the key Council services (including Waste and Housing) were delivered to a high standard in order that South Hams District Council was recognised as an exemplar Council that delivered excellent services for and to its local communities.

In closing, Cllr Brazil offered his sympathies to those Members who had lost their seats at the recent election and paid particular tribute to Mr Keith Baldry, who had led the Liberal Democrat Group in opposition for many years of service on the Council. He also offered his thanks to Mrs Cathie Pannell, who had been a Member of the Council when

he was first elected in 2003 and had acted as a mentor to him. Finally, Cllr Brazil thanked the previous Leader of Council (Mrs Judy Pearce) for her hard work, dedication and achievements in serving the people of the South Hams.

In response, a number of Members offered their congratulations to Cllr Brazil on his election to the role of Leader of the Council and wished him every success during his term of office.

9. **Representation on Political Groups**

09/23

The Chairman advised Members that a review of the representation of the political groups on the Council's Bodies had been carried out in consultation with the Leaders of the three Political Groups.

It was then:

RESOLVED

1. That it be noted that the Political Composition of the Council is as follows:-
 - A Liberal Democrat Group of 19 Members;
 - A Conservative Group of 7 Members;
 - A Green Party Group of 3 Members;
 - A Labour Party Member; and
 - An Independent Member;
2. That the overall political balance of Council Bodies, as reflected in the paper tabled to the meeting, be approved.

10. **Appointment of Members (and Substitute Members) of the Bodies of the Council**

10/23

The Council subsequently received nominations from the Group Leaders and Independent Members for the membership of the Bodies of the Council.

It was then:

RESOLVED

That, for the 2023/24 Municipal Year, Members be appointed to the Bodies of the Council as set out in Appendix A to these minutes.

11. **Election of Chairman and Vice-Chairman of those Bodies of the Council**

11/23

The Council received nominations from its Group Leaders for the positions of Chairmen and Vice Chairmen of the Bodies of the Council.

It was then:

RESOLVED

That the Chairmen and Vice Chairmen of the Bodies of the Council for the 2023/24 Municipal Year be as indicated below:-

Body	Chairman	Vice Chairman
Audit & Governance Committee	Cllr Bonham	Cllr Nix
Council Tax Setting Committee	Cllr Brazil	
Development Management Committee	Cllr Long	Cllr Taylor
Licensing Committee	Cllr Rake	Cllr Carson
Overview and Scrutiny Committee	Cllr Hawkins	Cllr Cooper

12.

Appointment of Representatives on Outside Bodies

12/23

A paper was considered that set out details of those Outside Bodies to which the Council appointed representatives and included a list of nominations for representation on these Outside Bodies.

Two nominations (Cllrs J Brazil and J Hodgson) had been received for the one position on the Devon Authorities Strategic Waste Committee

When put to the vote, it was declared **CARRIED** that Cllr J Brazil be appointed to the position on the Devon Authorities Strategic Waste Committee.

Two nominations (Cllr J Brazil and J Hodgson) had been received for the one position on the Heart of the South West Joint Devolution Committee

When put to the vote, it was declared **CARRIED** that Cllr J Brazil be appointed to the Heart of the South West Joint Devolution Committee

It was then:

RESOLVED

1. That the Council be represented on the list of Outside Bodies as presented to the meeting;
2. That the Members named in Appendix C to these minutes be appointed as the Council's representatives to those Bodies for the 2023/24 Municipal Year, and that, for the purposes of Members' Allowances, attendance at meetings of these bodies be regarded as an approved duty; and
3. That Members appointed to Outside Bodies provide a written report following each meeting; regular feedback and consultation on the issues affecting the Bodies concerned.

13. **Appointment of Governance Boards / Panels**

13/23

Members proceeded to consider the appointment for the 2023/24 Municipal Year of the:-

- a) Devon Building Control Partnership;
- b) Director – Plymouth & South Devon Freeport;
- c) Joint SH/WD/Plymouth Local Plan Partnership Board;
- d) Rate Relief Panel;
- e) Slapton Line Steering Group;
- f) South Devon AONB Partnership Committee; and
- g) Tamar Valley AONB Partnership Committee.

Once the principle and size of these Boards and Panels had been determined by the Council, Members proceeded to consider the appointments to each of these Bodies and, based upon these two decisions, it was then necessary for a vote to be undertaken for the two positions on the Joint SH/WD/Plymouth Local Plan Partnership Board, for which three nominations had been received (Cllrs J Brazil, J Hodgson and D Thomas).

In light of there being two positions available, the Chairman exercised his discretion to call for a recorded vote on these appointments, with the vote breakdown being as follows:

Cllr Brazil: 26 votes – Cllrs Abbott; Allen; Bonham; Carson; Cooper; Dennis; Dewyter; Dommett; Hancock; Hawkins; Hodgson; Hopwood; Lawford; Long; McKay; Munoz; Nix; O’Callaghan; Oram; Pannell; Penfold; Presswell; Rake; Steele; Taylor and Yardy;

Cllr Hodgson: 4 votes – Cllrs Allen; Hodgson; Presswell; and Yardy;

Cllr Thomas: 23 votes – Cllrs Abbott; Bonham; Brazil; Carson; Cooper; Dennis; Dewyter; Dommett; Hancock; Hawkins; Hopwood; Lawford; Long; McKay; Munoz; Nix; O’Callaghan; Oram; Pannell; Penfold; Rake; Steele and Taylor.

Abstentions: 1 – Cllr Thomas

Absent: 3 – Cllrs Birch; Edie and Jackson.

and it was therefore declared **CARRIED** that Cllrs J Brazil and D Thomas be appointed to the two positions on the Joint SH/WD/Plymouth Local Plan Partnership Board.

It was then:

RESOLVED

That the appointment of the Governance Boards / Panels of the Council for the 2023/24 Municipal Year be approved, as shown in Appendix B to these minutes.

14. **Appointment of Independent Persons**

14/23

The Council considered a report that sought approval for the appointment, until the next annual meeting, of five persons as Independent Persons to assist in the discharge of the Council's arrangements for dealing with standards complaints.

During the ensuing debate, particular reference was made to:

- a) gender balance. A Member expressed her concern over the lack of gender balance within those appointed to the Independent Persons roles; and
- b) the terms of appointment/re-appointment. A Member queried the appointment/re-appointment process and specifically asked whether or not it was possible for the terms of appointment to be reduced. In reply, the Monitoring Officer stated that it was his wish to review the process during this Council term and that the matters raised would make up part of the review process.

It was then:

RESOLVED

That the following persons be appointed as Independent Persons until the next annual meeting:

George Barnicott
Peter Boreham
Martin Glead
Trevor Kirkin
Victoria Spence

15. **Council Constitution**

15/23

The Council gave consideration to a report that presented the Council Constitution and the changes made to it by the Monitoring Officer under delegated powers. The changes were recorded in the Record of Changes set out in Appendix A of the presented report.

It was then:

RESOLVED

1. That the Constitution (as set out at: <https://southhams.gov.uk/our-constitution>) be noted; and
2. That the changes made by the Monitoring Officer since the adoption of the Constitution and as set out in the Record of Changes (attached as Appendix A to the presented agenda report) be noted

16. **Honorary Aldermen - Process**

16/23

The Council gave consideration to a report that sought approval for the criteria and procedure to appoint Honorary Aldermen

During debate, a Member expressed concern at the title 'Aldermen' and questioned whether or not it was possible to change the title so as to reduce the gender bias.

In response, it was confirmed that the title of 'Honorary Alderman' was a legal title so could not be amended by the Council in isolation. As a result, an amendment to add an additional recommendation was **PROPOSED, SECONDED** and when put to the vote declared **CARRIED** that read as follows:

3. That the Council make representations to request that the current legal title: 'Honorary Alderman' be revised to 'Honorary Alder'.

It was then:

RESOLVED

1. That the criteria for appointing Honorary Aldermen of the Council as set out in paragraph 3.1 of the presented report, be approved;
2. That Group Leaders be invited to make nominations to appoint Honorary Aldermen of the Council, prior to the arrangement of a Special Council meeting specifically convened for this purpose; and
3. That the Council make representations to request that the current legal title: 'Honorary Alderman' be revised to 'Honorary Alder'.

17. **Reports of Bodies**

17/23

RESOLVED

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

- | | |
|---|----------------------|
| a) Overview & Scrutiny Committee | 16 March 2023 |
| b) Development Management Committee | 5 April 2023 |
| c) Executive | 13 April 2023 |

With regard to recommendation E.97/22 (2) Waste and Recycling Service Update, it was noted that this item had already been determined at the Special Council Meeting held on 13 April 2023 (Minute 84/22 refers).

The Meeting concluded at 10.55 am

Signed by:

Chairman

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Membership of Council Bodies 2023/24

A. Audit and Governance Committee

Cllr L Bonham
Cllr S Dennis
Cllr D Hancock
Cllr A Nix
Cllr C Oram
Cllr A Presswell
Cllr S Rake
Cllr G Yardy

Substitute Members:

Cllr J Carson
Cllr N Dommett
Cllr L Lawford
Cllr B Taylor

B. Development Management Committee

Cllr V Abbott
Cllr G Allen
Cllr L Bonham
Cllr J Carson
Cllr J Hodgson
Cllr M Long
Cllr J McKay
Cllr A Nix
Cllr D O'Callghan
Cllr G Pannell
Cllr S Rake
Cllr B Taylor

Substitute Members:

Cllr N Dommett
Cllr T Edie
Cllr D Hancock
Cllr J Hawkins
Cllr L Lawford
Cllr C Oram
Cllr S Penfold
Cllr A Presswell
Cllr M Steele

C. Licensing Committee

Cllr V Abbott
Cllr G Allen
Cllr J Carson
Cllr C Oram
Cllr G Pannell
Cllr S Penfold
Cllr S Rake
Cllr D Thomas

Substitute Members:

Cllr S Dennis
Cllr A Dewynter
Cllr N Dommett
Cllr T Edie

D. Overview and Scrutiny Committee

Cllr B Cooper
Cllr S Dennis
Cllr A Dewynter
Cllr N Dommett
Cllr T Edie
Cllr J Hawkins
Cllr S Jackson
Cllr L Lawford
Cllr P Munoz
Cllr S Penfold
Cllr A Presswell
Cllr M Steele

Substitute Members:

Cllr L Bonham
Cllr A Nix
Cllr G Pannell
Cllr B Taylor
Cllr G Yardy

E. Council Tax Setting Committee

Cllr J Birch
Cllr J Brazil
Cllr M Long
Cllr D Thomas

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	ORGANISATION	Nominee(s)
1.	Dartmoor National Park Authority	Cllr G Pannell
2.	Devon Audit Partnership Committee	Chairman and Vice-Chairman of the Audit Committee
3.	Devon Authorities Strategic Waste Committee	Cllr J Brazil (Substitute: Cllr J Hodgson)
4.	Devon County Locality Committee	Cllrs J Birch and D O'Callaghan
5.	Devon County/South Hams Highways and Traffic Orders Committee	Cllrs J Birch and D O'Callaghan
6.	Devon Districts Forum	Leader of Council
7.	Governance Board (South Devon Healthcare NHS Foundation Trust)	Cllr G Yardy
8.	Greater Dartmoor Local Enterprise Action Fund	Cllr D Hancock
9.	Heart of the South West Devolution Joint Committee	Cllr J Brazil (Substitute: D Thomas)
10.	Hope Harbour Commissioners	Cllr M Long
11.	Joint Advisory Committee (JAC) on Housing for Local Needs in the Dartmoor National Park	Cllrs A Dewynter and G Pannell
12.	Local Enterprise Partnership Joint Scrutiny Committee	Cllr G Yardy
13.	Local Government Association:- (i) District Council Network: (ii) General Assembly: (iii) South West Branch: (iv) Rural Commission (v) LGA Committee, Panel, etc appointments (NB: These appointments are made via an Electoral College process through the LGA. Council has been given delegated authority to the Monitoring Officer, in consultation with the Leaders of the political groups, to agree any such appointments).	Leader or Deputy Leader of Council Leader or Deputy Leader of Council Leader or Deputy Leader of Council Leader or Deputy Leader of Council
14.	PATROL – Parking and Traffic Regulations Outside London	Cllr G Pannell
15.	Police & Crime Commissioners Scrutiny Panel	Cllr D Thomas

- | | | |
|-----|---|-------------------------------------|
| 16. | River Yealm Harbour Authority | Cllr T Edie |
| 17. | South Devon and Dartmoor Community Safety Partnership | Cllr A Dewynter |
| 18. | South West Councils | Leader and Deputy Leader of Council |
| 19. | SPARSE Rural and Rural Services Network | Cllr J McKay |

Appointment of Governance Boards / Panels 2023/24 Appendix B

- (a) **Devon Building Control Partnership**
Cllr J Birch
Cllr J McKay
- (b) **Director – Plymouth & South Devon Freeport**
Cllr J Birch
- (c) **Joint SH/WD/Plymouth Local Plan Partnership Board**
Cllr J Brazil
Cllr D Thomas
- (d) **Rate Relief Panel**
Cllr J Birch
Cllr N Hopwood
Cllr G Yardy
- (e) **Slapton Line Steering Group**
Cllr S Dennis
Cllr L Lawford
- (f) **South Devon AONB Partnership Committee**
Cllr G Allen
Cllr J McKay
- (g) **Tamar Valley AONB Partnership Committee**
Cllr C Oram

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