

SOUTH HAMS COUNCIL



Minutes of a meeting of the **South Hams Council** held on
Thursday, 15th February, 2024 at **10.00 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Taylor
Vice Chairman Cllr Long

Cllr Abbott	Cllr Allen
Cllr Birch	Cllr Bonham
Cllr Brazil	Cllr Carson
Cllr Dennis	Cllr Dewynter
Cllr Dommett	Cllr Hancock
Cllr Hawkins	Cllr Hodgson
Cllr Hopwood	Cllr Jackson
Cllr McKay	Cllr Nix
Cllr O'Callaghan	Cllr Oram
Cllr Penfold	Cllr Presswell
Cllr Rake	Cllr Steele
Cllr Thomas	

In attendance:

Councillors:
Cllr Edie (via Teams)
Cllr Lawford (via Teams)

Officers:

Assistant Director - Strategy
Chief Executive and Head of Paid Service
Deputy Chief Executive
Director - Governance & Assurance
Head of Democratic Services
Head of Finance
Head of Organisational Development
Head of Revenues & Benefits
Section 151 Officer

43. **Appointment Of Vice Chairman**

43/23

In light of the Chairman having sent his apologies to this meeting, nominations were invited to serve as Vice-Chairman for the duration of the meeting.

Having been sought, it was then:

RESOLVED

That Cllr M Long be appointed Vice-Chairman for the duration of this meeting.

44. **Minutes**

44/23

The minutes of the Council meeting held on 14 December 2023 were confirmed as a true and correct record

45. **Declarations of Interest**

45/23

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.

46. **Public Question Time**

46/23

It was noted that no public questions had been received in accordance with the Council Procedure Rules, for consideration at this meeting.

47. **The Council Plan 2024 - 28 and Annual Delivery Plan for Year 1**

47/23

Council considered a report that sought approval for the Council Plan 2024-28 and the Year 1 Delivery Plan.

During debate, particular reference was made to:

- (a) the work carried out by officers in reaching this point. A number of Members recorded their thanks to officers in drafting such detailed, comprehensive and costed Plans that reflected the views of both the Executive and the recently established Advisory Groups. Moreover, the Council recorded its thanks to the work of the Finance Team and the previous Council administration for their prudent financial management that had resulted the Council being able to invest monies into these Plans;
- (b) an amendment to the recommendation was **PROPOSED** and **SECONDED** that sought to give added emphasis to the cost of living crisis by primarily

ringfencing funding to support community based food supplies. The amendment read as follows:

“That the contents of the existing Delivery Plan be amended as below:-

- *Remove from Delivery Plan Item C1.5 – Dartmouth Park and Ride PV feasibility and business case preparation £20,000; and*
- *Remove from the Delivery Plan Item C3.2 – Employ a Food and Agriculture Officer to implement the Keep it Local Scheme £55,000.*

And replace these two lines in the Delivery Plan with:

- *£75,000 for the cost of living crisis – some of the money to be used to enable and support local community groups to grow their own food for distribution within the community.”*

The proposer introduced her amendment and stated that:

- o the Council needed to be realistic in how much an organisation of its size could undertake to mitigate against Climate Change. The Member was of the view that the organisation was too small to be considered a leader in this subject matter; and
- o the current Plans did not make sufficient mention of the ongoing Cost of Living Crisis.

In discussion on the amendment, the following points were raised:

- (i) Some Members made the point that there had been a number of opportunities to bring this amendment forward for consideration prior to this late stage. Therefore, it was not considered to be appropriate to be making such amendments to the Plan at the end of the process;
- (ii) The proposed expenditure on Climate Change and Biodiversity had been a key component of the Manifesto for which the administration had been successfully elected on. Furthermore, a number of Members felt that, such was the extent of the Climate Change and Biodiversity Emergency, that the Council had to demonstrate leadership and take personal responsibility;
- (iii) Irrespective of the amendment, Members emphasised that the Council was fully committed to projects and initiatives aligned to local food production and reduced food mileage;
- (iv) Assurances were given that increased emphasis in the Council’s Plans would be given to the Cost of Living Crisis.

When put to the vote, the amendment was declared **LOST**.

It was then:

RESOLVED

1. That the Council Plan 2024-2028 and Year 1 (2024/25) Delivery Plan (as set out respectively in Appendix A and Appendix B of the presented agenda report) be approved; and
2. That funding for the 2024-25 Delivery Plan (as set out in section 4.2 of the presented agenda report) be approved.

48. **Draft Revenue and Capital Budget Proposals for 2024/25**

48/23

The Council was presented with a report that outlined the recommendations of the Executive in respect of a series of draft revenue and capital budget proposals for 2024/25 (Minute E.58/23 refers).

In the ensuing debate, the following points were raised:

- (a) There was widespread disappointment stated amongst Members that an increase in Council Tax was necessary. In addition, there were calls for Central Government to provide increased grant funding to local authorities and for a fairer system of taxation to be employed;
- (b) With regard to the grant funding being awarded to Sustainable South Hams, it was noted that representations from the organisation were scheduled to attend the next Overview and Scrutiny Committee meeting to be held on 14 March 2024. As a result, all interested Members were encouraged to attend this meeting.

In line with statutory requirements, a recorded vote was then undertaken on part (i) of the substantive motion. The voting was recorded as follows:

For the motion (18):- Cllrs Abbott, Allen, Birch, Bonham, Brazil, Dewynter, Dommett, Hancock, Hodgson, Jackson, Long, McKay, O'Callaghan, Oram, Presswell, Rake, Steele and Thomas

Against the motion (3):- Cllrs Dennis, Hopwood and Penfold

Abstentions (4): Cllrs Carson, Hawkins, Nix and Taylor

Absent (6): Cllrs Cooper, Edie, Lawford, Munoz, Pannell and Yardy

and the vote on part (i) of the motion was therefore declared **CARRIED**.

In line with statutory requirements, a recorded vote was then undertaken on parts (ii) to (viii) of the motion. The voting was recorded as follows:

For the motion (21): Cllrs Abbott, Allen, Birch, Bonham, Brazil, Dewynter, Dommett, Hancock, Hawkins, Hodgson, Hopwood, Jackson, Long, McKay, O'Callaghan, Oram, Presswell, Rake, Steele, Taylor and Thomas

Against the motion (1): Cllr Carson

Abstentions (3): Cllrs Dennis, Nix and Penfold

Absent (6): Cllrs Cooper, Edie, Lawford, Munoz, Pannell and Yardy

and the vote on parts (ii) to (viii) of the substantive motion was therefore declared **CARRIED**.

It was then:

RESOLVED

- i) That Council Tax for 2024/25 be increased by 2.99% (increasing a Band D Council Tax for 2024/25 from £185.42 to £190.96 – an increase of £5.54 per year (or under 11 pence per week)). (NB. this equates to a Council Tax requirement of £7,739,406);
- ii) That the financial pressures of £2,846,000 (as shown in Appendix A of the presented agenda report) be approved;
- iii) That the savings/additional income of £(1,460,000) (as shown in Appendix A of the presented agenda report) be approved;
- iv) That the net contributions to/(from) Earmarked Reserves of £(489,573) (as set out in in Appendix D of the presented agenda report) be approved, including the proposed use of £704,173 of New Homes Bonus funding to fund the 2024/25 Revenue Budget (paragraph 3.20 of the Executive report of 25 January 2025 refers and shown at Appendix I of the presented report) and £300,000 from the Business Rates Retention Earmarked Reserve as set out in paragraph 3.3 of the published agenda report;
- v) That the Council set its total net expenditure for 2024/25 at £13,134,894 (as shown in Appendix B of the presented agenda report);
- vi) That the proposed Capital Programme Proposals for 2024/25 of £3,682,427 and the proposed financing of the Capital Programme (as set out in Appendix E of the presented agenda report) be approved;

vii) That the Reserves strategy (as shown at Appendix H of the presented agenda report) be approved, setting out that Unearmarked Reserves should continue to have a minimum level of £1.5million (as set out in the Medium Term Financial Strategy in September 2023), but an operating level of a minimum of £2million; and

viii) That, in accordance with Part 2 of the Local Government Act 2003. the level of Reserves (as set out within the published agenda report) and the assessment of their adequacy and the robustness of budget estimates, be noted.

49. **Summary Accounts 2022/2023 (Draft, Unaudited)**

49/23

Members considered a report that provided a summarised version of the full draft (unaudited) Accounts, including the main statements and key points from 2022/23.

In discussion, thanks were expressed to the Audit & Governance Committee for requesting that this Summary document be presented to Full Council. Furthermore, the Chairman of the Audit & Governance Committee informed that, should Members be so minded, there was also the opportunity for an all-Member Briefing to be convened to provide even more information on the Accounts.

It was then:

RESOLVED

That the production of the Summary Accounts (Draft, Unaudited) for 2022/23 be noted.

50. **Council Tax Discounts and Council Tax Reduction Scheme 2024/25**

50/23

Consideration was given to a report that sought approval for the Council Tax Reduction Scheme for 2024/25.

The report also set out the current council tax discounts and premiums and reaffirmed the Council's intention to levy a 100% premium on Second Homes as allowed by the Levelling-Up and Regeneration Act 2024.

During the ensuing debate, particular reference was made to:

- a) Empty Homes statistics. In reply to a question, officers agreed to circulate (following this meeting) the number of Empty Homes in the South Hams that would be affected by the recommendations contained within the published agenda report;

- b) support being expressed for the proposal to remove the Minimum Income Floor (MIF) for self-employed claimants;
- c) an amendment to recommendation 4 was **PROPOSED** and **SECONDED** that read as follows:

“4. ADOPTS with effect from 1 April 2025, a Second Homes Premium of 100% and **endorses the approach set out at paragraph 3.23 of the agenda report**”

In support of the amendment, the proposer felt that its inclusion would both add clarity and set out a statement of intent. In agreement with this view, the proposer and seconder of the motion were willing to accept the amendment and it was therefore included as part of the substantive motion.

As a general point, Members hoped that the Council would continue to lobby Devon County Council in an attempt to ensure that the additional monies were used towards the delivery of Affordable Housing schemes in the South Hams.

It was then:

RESOLVED

1. That the contents of the report be noted;
2. That a local Council Tax Reduction Scheme for 2024/25 be approved that:
 - makes no changes to the bands of the current banded scheme;
 - removes the Minimum Income Floor (MIF) for self- employed claimants; and
 - disregards 100% of the ‘Limited Capability for Work’ element of Universal Credit;
3. That, with effect from 1 April 2024, the following Council Tax discounts be adopted:
 - (a) The discount for unoccupied and substantially unfurnished properties is 100% for a maximum period of 1 month;
 - (b) The discount for unoccupied and substantially unfurnished properties for 1 month to 1 year is zero;
 - (c) The discount for properties which require major repair work to render them habitable is 50% for a maximum period of 12 months;
 - (d) The discount for unoccupied furnished properties (second homes) is zero;
 - (e) An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and unfurnished for at least one year, but less than five years;

- (f) An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and unfurnished for at least five years, but less than ten years; and
 - (g) An empty homes premium of additional 300% is levied on properties that have remained unoccupied and substantially unfurnished for at least ten years; and
4. That, with effect from 1 April 2025, a Second Homes Premium of 100% be adopted and that the approach (as set out in Paragraph 3.23 of the presented agenda report) be endorsed.

51.

Reports of Bodies

51/23

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

(a) Development Management Committee 13 December 2023

(b) Audit & Governance Committee 14 December 2023

A&G 30/23 Summary Accounts 2022/2023 (Draft, Unaudited)

Members noted that this recommendation had already been considered at agenda item 9 (Minute 49/23 above refers).

A&G 32/23 Strategic Risk Update and Framework

RESOLVED

That the updated Risk and Opportunity Management Strategy be adopted.

(c) Overview & Scrutiny Committee 21 December 2023

(d) Development Management Committee 17 January 2024

(e) Licensing Committee 18 January 2024

(f) Executive 25 January 2024

E.57/23 The Council Plan 2024 –28 And Annual Delivery Plan for Year 1

Members noted that this recommendation had already been considered at agenda item 7 (Minute 47/23 above refers).

E.58/23 Draft Revenue and Capital Budget Proposals for 2024/25

Members noted that this recommendation had already been considered at agenda item 8 (Minute 48/23 above refers).

E.62/23 Council Tax Discounts and Council Tax Reduction Scheme 2024/25

Members noted that these recommendations had already been considered at agenda item 9 (Minute 50/23 above refers).

E.64/23 Month 7 Revenue Budget Monitoring Report 2023/24

In discussion, there was some concerns expressed over the extent of the proposed increases in virement approval limits. To ensure that Members were kept fully informed, officers committed to developing an informal mechanism that sets out those virements that had been approved.

It was then:

RESOLVED

That the current virement limits within the Constitution (as shown in Section 10 of the published Executive agenda report) be updated.

52.

Questions

52/23

It was noted that no Questions on Notice had been received in accordance with Council Procedure Rules

53.

Notice of Motion

53/23

It was noted that no Motions on Notice had been received in accordance with Council Procedure Rules.

The Meeting concluded at 11.40 am

Signed by:

Chairman
