

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 2 MARCH 2023**

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, Brazil, Brown, Long, O'Callaghan, Pannell, Pringle and Rowe

Officers in attendance and participating:		
All items		Senior Leadership Team; Monitoring Officer; Democratic Services Manager; Assistant Director – Planning; Head of Housing; Head of Revenues and Benefits; Head of Assets; Specialist – Climate Change and Principal Assets Officer

E.77/22 MINUTES

The minutes of the Executive meeting held on 26 January 2023 were confirmed as a true and correct record.

E.78/22 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.

Cllr H Bastone declared an interest in agenda item 18 'Plymouth and South Devon Freeport' (Minute E.92/22 below refers) by virtue of being the Council's nominated Director of the Plymouth and South Devon Freeport and remained in the meeting and took part in the debate and vote thereon.

E.79/22 PUBLIC QUESTION TIME

The Leader informed that no public questions had been received in accordance with the Executive Procedure Rules.

E.80/22 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.

In view of the forthcoming District Council Elections, Members requested that the lead Executive Members' names be removed from the items of business listed for post 4 May 2023.

E.81/22 **BETTER LIVES FOR ALL – YEAR 3 UPDATES**

A report was considered that set out an updated year 3 delivery plan for the Better Lives for All Strategy

In her introduction, the Leader stated how successful the Strategy had been with good progress being made on most (but not all) of the actions contained therein.

During the ensuing debate, the success of the Strategy was recognised, however a request was made for the pictorials be more varied.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** to approve the minor amendments to the Year 3 Better Lives for All delivery plans (as set out in Appendix A of the presented agenda report).

E.82/22 **MONTH 10 REVENUE BUDGET MONITORING 2022/2023**

A report was considered that enabled Members to monitor income and expenditure variations against the approved budget for 2022/23 and that also provided a forecast for the year end position.

During discussion, reference was made to:-

- (a) income generated from Employment Estates. Whilst some commercial units had recently been constructed, it was felt that there remained much demand for additional employment space in the district and it was hoped that the new Council administration would give great emphasis to this requirement;
- (b) planning income. It was noted that, whilst the number of planning applications received remained high, the anticipated shortfall in income was attributed to the reduction in large (major) applications;
- (c) the work of Treasury Management officers. Members wished to put on record their gratitude for the excellent work carried out by Treasury Management officers.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2022/23 financial year and the overall projected surplus of £127,000 (1.2% of the total Budget of £10.464 million) be noted

E.83/22 CAPITAL PROGRAMME MONITORING 2022/23

The Executive considered a report that advised of the progress made on individual schemes within the approved Capital Programme, including an assessment of their financial position.

In discussion, Members welcomed the commitment in the published agenda report for a 'fundamental review to be carried out into all capital schemes within the existing Programme.

It was then:

RESOLVED

That the content of the Capital Programme Monitoring Report be noted.

E.84/22 WRITE-OFF REPORT Q1 AND Q2 2022/23

A report was considered that informed Members of the proposal to write-off a series of debts with a value of more than 5,000 for the period from 1 April 2022 to 30 September 2022.

It was then:

RESOLVED

1. That it be noted that, in accordance with Financial Regulations, the Section 151 Officer has authorised the write-off of individual South Hams District Council debts totalling £94,271.49 (as detailed in Tables 1 and 2 of the presented agenda report);
2. That the write-off of individual debts in excess of £5,000 totalling £81,599.34, (as detailed in Table 3 of the presented agenda report) be approved; and
3. That, with effect from 1 April 2023, the Council Tax, Non-Domestic rates (Business Rates) and Housing Benefit overpayments write-off policy (as attached at Appendix .A of the presented agenda report) be adopted.

E.85/22 **COUNCIL TAX DISCRETIONARY DISCOUNT POLICY**

Members considered a report which sought approval for the Council Tax Discretionary Discount Policy

In the ensuing debate, Members were supportive of the further measures contained within the Policy that would enable the Council to provide additional support to residents.

It was then:

RESOLVED

1. That approval be granted to implement the Council Tax Discretionary Discount Policy (as attached at Appendix A of the presented agenda report) from 1 April 2023; and
2. That authority be delegated to the Director of Strategic Finance (S151 Officer) to agree awards of a Council Tax Discretionary Discount, which have been recommended for authorisation by the Principal Revenues Officer, in consultation with the Head of Revenues and Benefits.

E.86/22 **HOUSING CRISIS UPDATE**

The Executive was presented with a report that sought approval for three actions to help address the Housing Crisis declared by the Council.

In discussion, the following points were raised:

- (a) It was confirmed that local Ward Members and the Town Council were engaged with the proposed affordable-led housing scheme in Kingsbridge;
- (b) Such was the extent of support given for the proposal to purchase up to 7 properties, some Members felt that this should be extended to the maximum permissible 11 properties. In recognising the point, the Leader felt that it was a delicate balance when proposing the use of Section 106 monies and it was her view that local stakeholders should be given at least two years to bring forward proposals within the area from which Section 106 monies had been obtained. Furthermore, the challenges associated with purchasing 7 properties before November 2023 were also noted.

Notwithstanding the challenges, a majority of Members did still ask for the option to purchase up to 11 properties to be kept in mind and, should the opportunity present itself, a further report be presented back to the Executive.

- (c) Members reiterated the legal duty upon the Council to house homeless people;

- (d) Lead officers and the Leader of Council were thanked for their unwavering commitment to addressing the Council's Housing Crisis and the contents of the published agenda report were felt to be excellent examples of the work that was being undertaken.

It was then:

RESOLVED

1. That the spending of up to £385,000 of Section 106 Affordable Housing Contributions be approved for the purchase of up to 7 properties as part of the Government Local Authority Housing Fund;
2. That the Head of Assets, in consultation with the Head of Housing and Section 151 Officer, be authorised to identify within the available funding, up to 7 suitable properties and to take the necessary steps for the Council to purchase those properties;
3. That the progress of the Expressions of Interest exercise proposed to bring forward affordable-led housing schemes in Kingsbridge be noted; and
4. That the spending of Section 106 Affordable Housing Contributions on the terms set out at exempt appendix A of the presented agenda report be approved.

E.87/22 DEVELOPMENT MANAGEMENT / PLANNING ENFORCEMENT IMPROVEMENT PLAN UPDATE

Members considered a report that provided an update on progress made against the key elements of the Planning Improvement Plan.

During her introduction, the Leader highlighted the service improvements that were already being realised but did also accept that there were further improvements still to be made.

In the ensuing debate, reference was made to:

- (a) some of the further service improvements to be made. At the invitation of the Leader, the Assistant Director Planning highlighted further future improvements to be made that included:
- Development Management Committee decisions to include time limits on the need to sign Section 106 Agreements;
 - A comprehensive review of the Council's Enforcement Policy with the overriding aim of providing a more consistent approach;
 - Additional training provision for Planning Enforcement Officers; and

- Consideration being given to the approach to Consultation and Engagement on Conservation Area Appraisals.

(b) the work of officers in the Development Management service. A Member wished to record her thanks to officers, who worked exceptionally hard in very difficult circumstances.

It was then:

RESOLVED

1. That progress on delivery of the Planning Improvement Plan and the update on performance be noted;
2. That officers be instructed to bring a report on the delivery of the improvement plan to the Executive in 6 months' time; and
3. That the progress with the development of Conservation Area Appraisals and Neighbourhood Plans over the past 2 years be noted.

E.88/22

SERVICE LEVEL AGREEMENT SHDC AND SOUTH DEVON AONB

Further to the meeting of 13 October 2022 at which it was agreed that additional funding of £8,000 would be made to South Devon AONB subject to a Service Level Agreement (SLA) (Minute E.45/22 refers), Members considered a report that set out the proposed SLA.

In debate, the following points were raised:

- a) To ensure that the lead Executive Member was kept informed, an addition was **PROPOSED** and **SECONDED** to Recommendation 3 that read as follows:

3. that officers be instructed, in consultation with the lead Executive Member, to monitor the performance measures set out in the SLA and that the additional year2 funding is contingent upon the targets being achieved

When put to the vote, the addition was declared **CARRIED**;

- b) Some Members were of the view that the working relationship between the AONB Unit and the Council had become rather distant in recent years and that this was regrettable. As an example, Members used to be in receipt of regular briefing notes and reports from the Unit that they no longer received;

- c) Some further frustrations were expressed by the Executive over the delays in responses from the Unit to planning applications and the apparent lack of consistency of approach. These resulted in much frustration amongst Members and the general public and it was hoped that this agenda item would lead to improvements being realised in this regard. However, in disagreement with these views, another Member felt the need to retain a sense of perspective as the Unit was felt to have a number of conflicting work priorities and was not blessed with plentiful resources.

It was then:

RESOLVED

1. That the proposed Service Level Agreement (SLA) with South Devon AONB (as shown at Appendix A of the presented agenda report) be approved in respect of securing focused support to meet the demand of South Hams District Council Development Management Service;
2. That the £8,000 per annum as agreed at the Executive meeting of 13 October 2022 (Minute E.45/22 refers), be added to the existing Annual payment to South Devon AONB with effect from 1 April 2023; and
3. That officers be instructed, in consultation with the lead Executive Member, to monitor the performance measures set out in the SLA and that the additional Year 2 funding is contingent upon the targets being achieved.

E.89/22 OFF-STREET PARKING ORDER AMENDMENT

Members were presented with a report that sought approval for the introduction of pay and display charges at the new Dartmouth Health Hub car park and amendments made to other existing charges as set out in Appendices A and B of the presented agenda report.

When questioned, officers clarified the electric car charging point provisions in the car park.

It was then:

RESOLVED

1. That the Head of Assets be authorised to publish notice of proposals for the South Hams District Council (Off-Street Parking Places) (Variation No.1) Order 2022; the amendments to be made to be:
 - 1.1 A new car park to be named as Dartmouth Health Hub car park and incorporated into the Order;

- 1.2 To introduce pay & display charges at the Dartmouth Health Hub car park in accordance with Appendix A of the presented report;
 - 1.3 To amend the pay and display charges in Dartmouth Park & Ride car park in accordance with Appendix B of the presented agenda report; and
 - 1.4 To introduce Dartmouth Health Hub Reserved Parking Permit for Health Hub staff use (staff & authorised visitors to be administered by NHS); and
2. That the Head of Assets be requested to prepare a subsequent report summarising any representations received in response to the notice of proposals for consideration by the Executive before making a decision to make the Off-Street Parking Places Order as proposed or with modifications.

(NOTE. By virtue of being local Ward Members, Cllrs Bastone and Hawkins abstained from the vote on this agenda item).

E.90/22 **RECRUITMENT AND RETENTION**

The Executive was presented with a report that detailed a range of actions being taken to respond to ongoing recruitment and retention challenges, which included a comprehensive new organisation development plan. The report also included advice following an independent report undertaken by the Local Government Association on senior officer pay.

Following the introduction, the Executive congratulated officers on the quality of the organisational development plan that had recently been launched to staff. In reply, the Chief Executive stated that he and his officer team were fully committed to making the plan work;

(NOTE. Once all questions had been asked, the Council's Senior Leadership Team left the meeting room prior to the debate on this agenda item).

During debate, the following points were raised:

- (a) In emphasising the importance of staff retention, Members recognised the importance of remaining (and continuing to remain) competitive on pay in the constantly evolving employment market;
- (b) The challenges and additional complexities associated with working across two different local authorities was highlighted and, as a consequence, Members felt that the Senior Leadership Team represented excellent value for money;

- (c) Whilst acknowledging the annual requirement to publish the pay policy statement, a Member hoped that these proposals would not lead to a significant increase in the multiplier between senior officer salaries and the Council's median average earnings.

It was then:

RESOLVED

1. That the action taken to respond to recruitment and retention challenges, as set out in paragraphs 2.4 to 2.9 of the report be noted; and
2. That Council be **RECOMMENDED** to accept the recommendations of the independent report on senior officer pay, undertaken by the Local Government Association, and approve the revised pay and grading structure for the Senior Leadership Team.

E.91/22

EXCLUSION OF PUBLIC AND PRESS

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved

E.92/22

PLYMOUTH AND SOUTH DEVON FREEPORT

The Executive considered an Exempt report which sought approval for the acquisition of Freeport land and a change to the approved borrowing terms.

During discussion, it was recognised that a final decision would be required by Full Council on 30 March 2023 and it was agreed that an all Member Briefing should be convened before this meeting.

It was then:

RECOMMENDED:

That Council be **RECOMMENDED** to approve each of the four parts of the recommendation as set out in the exempt agenda report.

(Meeting commenced at 10.00 am and concluded at 12.25 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.81/22, E.90/22 (PART 2) and E.92/22 (WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 30 MARCH 2023) WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 13 MARCH 2023 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)