

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 7 MARCH 2024**

| Members in attendance: * Denotes attendance ∅ Denotes apologies for absence | | | |
|--|--------------------------|---|-------------------------------|
| * | Cllr V Abbott | * | Cllr N A Hopwood |
| * | Cllr J P Birch | * | Cllr J McKay |
| * | Cllr J Brazil (Chairman) | * | Cllr D M O'Callaghan |
| * | Cllr J M Hodgson | * | Cllr D Thomas (Vice Chairman) |

| Non-Executive Members also present either in person or remotely for all or part of the meeting: | |
|--|--|
| Cllrs Cooper (via Teams), Dennis, Dommett, Hawkins, Long, Penfold, Rake and Yardy | |

| Officers in attendance and participating: | | |
|--|--|--|
| All items | | Chief Executive; Deputy Chief Executive; Director – Governance & Assurance; Director – Place & Enterprise; Monitoring Officer; Head of Democratic Services; Assistant Director – Waste & Operations; Assistant Director – Planning; Head of Revenues and Benefits; Head of Housing; Head of Communications; Head of Finance; Principal Planning Officer (JLP); Principal Assets Officer; Senior Planning Officer (Conservation); Senior Strategic Planning Officer; Principal Accountants (via Teams); Waste and Recycling Operations Manager; and Ukrainian Refugee Support Officer |

E.70/23 MINUTES

The minutes of the Executive meeting held on 25 January 2024, and the Special Executive meeting held on 21 February 2024 were both confirmed as a true and correct record.

E.71/23 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.72/23 QUESTION TIME

The Leader informed that two questions had been received in accordance with the Executive Procedure Rules:

a) From Mr John Grocock

Further to my queries relating to Council owned properties in Sherford and St Anns Chapel:

'Will those in Sherford be retro-fitted to align them with current standards, are those at St Anns Chapel 'so-called' or 'actual' affordable homes, what are the rents and will they be available exclusively to South Hams residents?'

In reply, the Lead Executive Member for Housing stated that:

'The properties at St Anns had received an Energy Performance Certificate (EPC) Grade B, with estimated running costs of £782 a year which equated to £65 a month. As such, these were energy efficient with corresponding low running costs for our tenants. The properties purchased on the open market at Sherford were also EPC B, so both conformed to current standards. However, as a Council we were dedicated to reducing our carbon footprint with an aim to get to net zero by 2030. We kept all of our property portfolio under constant review with respect to this aim and upgrades required to meet it, which would now include these additional houses.

The properties at St Anns had all been allocated through the Council's housing register - Devon Home Choice - to people with a local connection to St Anns or a neighbouring parish. They would be let with affordable rents, capped at Local Housing Allowance for the Plymouth Broad Market Area dependent on the property size. The open market homes could be purchased by anyone; however the Council had imposed a principal residency clause to ensure these could not be used for second homes.

The Chairman exercised his discretion to enable Mr Grocock to ask a supplementary question. In so doing, he sought information on the criteria of the Local Connection Policy and queried the number of both vulnerable and other families on the Housing waiting list.

In responding, the Head of Housing advised that, in terms of the local connection policy, the criteria referenced: residency; and/or having close family members being resident; and/or being employed within the District.

It was confirmed that there were currently 42 households in temporary accommodation (8 of which were families). For clarity, none of these were residing in Bed and Breakfast accommodation. An undertaking was also given to Mr Grocock that, when sending him the response to his original question following this meeting, reference would be given to details relating to the housing waiting list.

In closing, the Leader advised that the Council was committed to

supporting vulnerable residents in their housing needs, particularly care leavers and ex-Service personnel and had just sent a robust response to a Central Government consultation on retro fitting properties.

b) From Ms Gillie Scherr

Plant-based diets result in 75% less Green House Gas (GHG) emissions than diets with more than 100g of meat daily. Brits eating meat-free lunches on weekdays could save the NHS £2.2 Billion annually.

“Could South Hams join 25 councils including Exmouth by endorsing the Plant Based Treaty and expanding access to plant-based food?”

In response, the Lead Executive Member for Climate Change and Biodiversity stated:

“I support many of the aims of The Plant Based Treaty and I accept that there is a need to reduce meat consumption, both from an environmental and a health perspective.

I also accept that the methane production from livestock farming globally is a huge and damaging issue and there is a lot of science to support that. But I am afraid that I disagree with the premise that eliminating livestock farming or even trying to is a reasonable and practical means of addressing the problem.

However, many of the clauses in the treaty the Council have addressed or are actively pursuing. For instance, a short list would include:

- The Council declared a climate emergency back in 2019;
- It is working with partners to deliver training on sustainable/regenerative farming methods to approximately 40 farms at the moment;
- Through its partner (Natural Landscapes) it is delivering a comprehensive programme called Farming in Protected Landscapes which is all about reducing emissions and improving biodiversity;
- The Council is involved in purchasing land for tree-planting and creating rich and diverse habitats; and
- It is working with the food and agriculture sector across the district and beyond to increase local food production and consumption, shorten supply chains, make local food more accessible and cheaper and to thereby increase health and well-being. A natural corollary of this will be a reduction in meat production and consumption... but it is not a primary ambition.

With regard to the central theme of the Treaty it suggests that we should all move to a vegan diet. I cannot go along with this. Firstly,

and foremost, I think it is impractical and secondly because there are serious health questions.

The impracticality stems from the fact that the South Hams has many livestock farmers. I and many of the partners the Council is working with need to engage with these businesses. It is absolutely essential to be able to work collaboratively to help them transition to more sustainable methods of production. It is my view that being a signatory to the Treaty would not help that dialogue.

The health issues are also a concern as there are quite few.

The issue around B12 is an obvious one. An essential vitamin that mediates many neurological and blood related functions. It is stored in the liver so a deficiency can take a year or so to manifest itself and there is no good plant-based sources of B12 (yes, some algae, yeasts, shiitake mushrooms... but low levels). There are also emerging microbe-based products like 'Natures Fynd', but early days.

Iron - non-heme iron from plants is not bioavailable. Can be improved with Vitamin C. so citrus. (Remember Popeye. Olive Oyl should have told him he needed to add a squeezing a lemon on his can of spinach, to get any real benefit).

There are also bioavailability issues associated with plant-based sources of Zinc, Calcium and Vitamin D.

The consequences of these deficiencies can be a whole range of long term health issues. I would agree these can often be managed, but it is not a practical universal solution ... in my view.

George Monbiot believes we could all live on lab-grown meat. He is a good journalist with some very innovative and interesting ideas. I don't think that this is one of his best.

Also, I have to say, I do think the credibility of the Treaty is seriously damaged by its website having links to a section on vegan cats and dogs. I think the idea of a vegan cat is fanciful and verging on cruel and the supporting references are not at all convincing. They are self-selecting and appear to be funded by those who have an interest in the outcome.

I do however support many of the aims of The Plant Based Treaty especially where they relate to animal welfare which is a huge issue for me. The UK is one of the leaders in the study of animal sentience. But despite our growth in our understand there remains farming practices that are utterly abhorrent.

I am a big supporter of Compassion in Word Farming and have worked with them in the past to confront the rise and rise of enormous 1000+ dairy herds held in a shed for the whole of their

natural life (which is not that long). North Devon has become a hot spot in the UK for these dreadful operations.

Methane production of large indoor zero-grazing dairy, pig, and poultry farms is enormous. Slurry lagoons uncovered the size of a football pitch, which is then spread on fields releasing methane. Sometimes 5 silage cuts a year with all the consequential pollution and soil absolutely devoid of life. Tackling this huge issue is where we should be concentrating our efforts... in my view.

So finally, there are 318 first and second tier councils England. (164 District) Only 3 Councils at that level have signed: Norwich, Edinburgh and Lambeth. (Exmouth is a Town Council and one shouldn't really count Edinburgh) But that amounts to less than 1% take up.

It is actually a great shame that the Treaty has gone too far and a more practical less full-on vegan approach would have received a lot more support.

So I could not recommend this Council signs the Treaty, but it may be that other Members might be persuaded to bring a motion to the Full Council for debate.”

E.73/23 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.

In response to a question regarding the lack of items scheduled for future Executive meetings, the Chief Executive advised that the Items for the coming year were currently being developed. The Head of Democratic Services also confirmed that the Calendar of Meetings for the forthcoming Municipal Year was due to be considered at the meeting of Full Council taking place on 21 March 2024 and, once agreed, the Forward Plan would be further populated for 2024-25.

E.74/23 WASTE AND RECYCLING SERVICES UPDATE

The Executive considered a report that provided an update on the progress made and the performance of the waste and recycling service since the roll out of the Devon Aligned Service (kerbside recycling service known as DAS) in November 2023.

During the ensuing debate, the following points were raised:

- (a) Members wished to congratulate and thank officers for their efforts in turning the performance of the service around. Officers proceeded to highlight that there remained a huge amount of work to undertake to ensure that the service was as cost effective as it possibly could be;
- (b) Officers committed to removing any signage in the South Hams that incorrectly inflated the Council's current recycling rates. With regard to improving recycling rates, officers set out a series of measures that were being undertaken that included: increased engagement with the Council's Communications Team; and greater utilisation of the Devon County Council Recycling Education Officer;
- (c) Members hoped that a greater number of local town and parish councils would embrace the opportunity to develop community composting initiatives within their local areas;
- (d) In response to a concern expressed over the increased garden waste charges, officers advised that 60% of households had already renewed their subscriptions for 2024/25.

It was then:

RESOLVED

That the following be recognised:

1. the significantly improved performance of the waste and recycling service over the last 17 months;
2. the detailed planning by officers that resulted in the successful implementation of the kerbside recycling service to the whole of the District;
3. the opportunity that residents now had to contribute to increase recycling and reduce residual waste; and
4. the work to be undertaken to drive forward continuous improvement of the service.

E 75/23

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN FIVE-YEAR REVIEW REPORT 2024

The Executive was presented with a report that sought approval for the adoption and publication of the Plymouth and South West Devon Joint Local Plan (JLP) Five-Year Review Report 2024 as approved by the Joint Local Plan Partnership Board on 25th January 2024.

In discussion, the following points were raised:-

- (a) Thanks were extended to the Assistant Director Planning, who was soon to leave the employ of the Council. Members proceeded to wish the officer every success for the future;
- (b) Members recognised that the JLP remained sound and up to date and acknowledged that this was a positive position to be in to ensure that speculative development was prevented;
- (c) The local Ward Member made a plea that, at the time of the next JLP review, the Woolwell Ward be re-classified within the Thriving Towns and Villages Policy area.

It was then:

RESOLVED

That the Plymouth and South West Devon Joint Local Plan:

1. Five Year Review Report 2024 be published on the Council's website;
2. continue to be used with full weight in the determination of planning applications and be referred to as appropriate in reports; and
3. be used as a material consideration for planning decisions.

E.76/23

CLIMATE CHANGE UPDATE & DEVON, CORNWALL AND THE ISLES OF SCILLY CLIMATE ADAPTATION PLAN

Members considered a report that sought the endorsement of the Devon, Cornwall, and The Isles of Scilly Climate Adaptation Plan.

In discussion, reference was made to:

- (a) the Plan delivering upon a recent Internal Audit recommendation;
- (b) the strength of partnership working. Members felt that such alignment with other local authorities was a positive to be commended.

It was then:

RESOLVED

1. That Council be **RECOMMENDED** to endorse the Devon Cornwall and Isles of Scilly Climate Adaptation Plan as set out at Appendix A of the presented agenda report; and
2. That the climate change and biodiversity work programme be noted.

E.77/23 **HOME FOR UKRAINE SCHEME AND AFGHAN RELOCATION ASSISTANCE PROGRAMME**

Consideration was given to a report that provided an update on the Council's participation in the respective Ukrainian and Afghan resettlement schemes. It also provided information on the conclusion of the Local Authority Housing Fund 1 and 2 initiatives.

During debate, particular reference was made to:

- a) an addition to recommendation 1. In order to acknowledge the contribution of Council officers to the success of the Scheme, an addition to the wording of recommendation 1 was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:

The Executive:

1. *thanks the officers and notes the positive progress of the Council's participation in the Homes for Ukraine scheme and that the Afghan resettlement schemes be noted.*

- b) the support provided by lead officers. For both the Home for Ukraine Scheme and Afghan Relocation Assistance Programme, a number of Members paid tribute to the excellent work and pragmatic approach that was provided by lead officers and host families. Officers referenced a number of real life resettlement stories aligned to these initiatives and, as a result, it was concluded that an all Member Briefing to expand further should be arranged in due course.

It was then:

RESOLVED

1. That the officers be thanked and the positive progress of the Council's participation in the Homes for Ukraine scheme and that the Afghan resettlement schemes be noted; and
2. That the conclusion of the Local Authority Housing Fund (LAHF1 and 2) initiative, successfully delivering a total of 11 new properties at Sherford and Ivybridge, be noted.

(Note: At this point (11.30am), the meeting was adjourned for a period of 15 minutes).

E.78/23 **DISCRETIONARY HOUSING PAYMENT POLICY**

Members considered a report which sought approval for the updated Discretionary Housing Payment Policy.

There being no debate, it was then:

RESOLVED

1. That the content of the presented agenda report be noted; and
2. That, with effect from 1 April 2024, the Discretionary Housing Payment Policy (as set out at Appendix A of the presented agenda report) be approved.

E.79/23

HOUSING BENEFIT WAR PENSIONS DISREGARD POLICY

Consideration was given to a report which sought approval for the continuation of the discretionary disregard of War Pensions and War Widow(er) Pensions from Housing Benefit so as to ensure that those in receipt of those pensions were not adversely affected financially.

During debate, both Members and officers advised that they would continue to help and promote the ability for residents to self-serve whilst ensuring that they could also contact the Council in the best way for them as an individual.

It was then:

RESOLVED

1. That the contents of the presented agenda report be noted; and
2. That Council be **RECOMMENDED** to adopt the Housing Benefit War Pensions Disregard Policy as set out at Appendix A of the presented agenda report.

E.80/23

MONTH 10 REVENUE BUDGET MONITORING REPORT 2023/24

Members considered a report that provided a forecast for the year end budget position and that also enabled them to monitor income and expenditure variations against the approved budget for 2023/24.

In discussion, reference was made to the significant budgetary pressures associated with homelessness costs. In stating that this was a problem felt by all local authorities in the country, it was noted that extensive lobbying was being undertaken that sought additional funds from Central Government.

It was then:

RESOLVED

1. That the forecast income and expenditure variations for the 2023/24 financial year and the overall projected surplus of £46,000 (0.4% of the total Budget £11.738 million), very close to a break-even position, be noted; and
2. That Council be **RECOMMENDED** to fund up to £170,000 of planning appeal costs from the Business Rates Retention Earmarked Reserve (as detailed in paragraphs 3.5 to 3.7 of the presented agenda report).

E.81/23 CAPITAL PROGRAMME MONITORING AS AT 31 JANUARY 2024

The Executive was presented with a report providing details of the Capital Programme financial position as at 31 January 2024.

With no debate ensuing, it was then:

RESOLVED

That the contents of the report be noted.

E.82/23 DARTMOUTH PARK & RIDE AND HEALTH HUB CAR PARK SIX MONTH REVIEW

The Executive considered a report that sought approval for a number of changes to the Dartmouth Park and Ride operation and associated Off Street Parking Places Order.

The Chairman informed the meeting that he was exercising his discretion to enable for Cllr Cathy Campos (Dartmouth Town Council) and Ms Jo Hinde (Co Chair of Dartmouth & District Chamber of Commerce) to address Members. In so doing, they made particular reference to:

- the one-off 100% increase in all day tariff (from £5 to £10) for the Park and Ride facility. Whilst accepting the need for an increase, a 100% increase was felt to be too high and therefore to the detriment of the local economy;
- the importance of a park and ride service being in place for: the Easter weekend; May half-term week; and the local Music and Food Festivals. Also, it was considered very important for the service to be operational at hours that were suitable for both local workers and evening visitors to utilise;
- the need for many local businesses to have a good trading year in order to ensure their survival;
- the impression that the proposals were being imposed upon the town rather than being developed collaboratively. To that end, both speakers asked that the proposals be deferred to enable for further

consideration and discussion to take place in an attempt to reach a more satisfactory way forward.

Following their addresses, a number of Members commented as to how useful it had been to hear first hand from the speakers and, in the ensuing debate, the following points were raised:

- (a) Given that there had been minimal reference made to the Dartmouth Health Hub Car Park proposals, support was expressed for part 1 of the report recommendation;
- (b) The local Ward Members reiterated a number of the points raised by the speakers and expressed their disappointment that they had only been made aware of the proposals less than one week ago;
- (c) Some Members expressed their sympathy with the comments expressed by the speakers and an alternative recommendation was therefore **PROPOSED** and **SECONDED** that read as follows:

“That any decision relating to the Dartmouth Park and Ride matter be POSTPONED until a Special Executive meeting be held to enable officers and the lead Member to discuss the matters further with local Ward Members; the Town Council; and other interested organisations in order to seek a way forward that addresses the issues raised.”

In the ensuing debate on the alternative recommendation, reference was made to:

- the Council not previously knowing that Dartmouth had established a Chamber of Commerce;
- given the statutory requirement to consult for a minimum of 21 days, any decision to postpone would have significant time constraints and would require a Special Executive meeting to be convened at very short notice;
- in hindsight, the view was expressed that the proposals should have been consulted on with local Members and stakeholders earlier and there were lessons to be learned from this process;
- the estimated park and ride service deficit for 2023/24 (in excess of £154,000) was not a sustainable position for the Council and, irrespective of these proposals, a solution therefore had to be found;
- the long-term aspirations of the administration to establish a two-tier pricing structure for locals and visitors remained;
- the Climate Change and Biodiversity benefits arising from an effective park and ride service;
- it being important to recognise that officers and the lead Member had worked tirelessly to ensure that there were also advantages and benefits contained within the proposals that could be jeopardised by any decision to postpone at this meeting; and
- the problems arising as a result of the service prices having been frozen for the last 14 years.

When put to the vote, the alternative recommendation was declared **CARRIED**.

It was then:

RESOLVED

1. That it be noted that the Dartmouth Health Hub Car Park continued to operate under the current Off Street Parking Places Order with a full review to be undertaken at 12 months in and brought back to the Executive in September 2024 for consideration; and
2. That any decision relating to the Dartmouth Park and Ride matter be POSTPONED until a Special Executive meeting be held to enable officers and the lead Member to discuss the matters further with local Ward Members; the Town Council; and other interested organisations in order to seek a way forward that addresses the issues raised.

E.83/23 DARTMOUTH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

A report was considered that sought approval for the commencement of the consultation on the Draft Dartmouth Conservation Area Appraisal and Management Plan 2024.

Officers informed that the documents would be subject to a final proofread prior to being published for consultation.

It was then:

RESOLVED

That the commencement of consultation on the draft Dartmouth Conservation Area Appraisal and Management Plan be approved.

E.84/23 TOTNES CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

Members considered a report that sought approval for the commencement of the consultation on the Draft Totnes Conservation Area Appraisal and Management Plan 2024.

During debate, a Member noted that Totnes Town Council had already raised a number of concerns over the content of the Plan. As a consequence, other Members encouraged the Town Council to raise these concerns formally during the consultation process.

It was then:

RESOLVED

That the commencement of consultation on the draft Totnes Conservation Area Appraisal and Management Plan be approved.

E.85/23 BRIXTON NEIGHBOURHOOD PLAN MODIFICATION

The Executive was presented with a report that sought agreement for the Brixton Neighbourhood Plan modification to be made (adopted) in line with the Examiner's recommendations.

In discussion, support was expressed for the proposals and the leadership demonstrated by the Parish was felt to be commendable.

It was then:

RESOLVED

1. That the Examiner's report for the Brixton Neighbourhood Plan Modification set out at Appendix A of the presented agenda report be received;
2. That each of the recommendations made in the presented agenda report, and the reasons for them, were considered;
3. That it was agreed that the Brixton Neighbourhood Plan as proposed to be modified met the Basic Conditions and was compatible with the Convention Rights, subject to the amendments recommended by the Examiner;
4. That the 'making' (adoption) of the Brixton Neighbourhood Plan modifications be approved, in line with the amendments recommended by the Examiner, (as set out in the full plan attached at Appendix B of the presented agenda report);
5. That the Assistant Director Planning be authorised to publish the Decision Statement (as set out at Appendix C of the presented agenda report).

E.86/23 STAVERTON NEIGHBOURHOOD PLAN

A report was considered that sought approval for the Staverton Neighbourhood Plan to proceed to referendum.

During the ensuing debate, the local Ward Member wished to record her thanks to Staverton Parish Council for its work in reaching this milestone.

It was then:

RESOLVED

1. That the Examiner's report for the Staverton Neighbourhood Plan set out at Appendix A of the presented agenda report, be received;
2. That each of the recommendations made by the Examiner's report and the reasons for them have been considered;
3. That it be agreed the Staverton Neighbourhood Plan met the Basic Conditions and was compatible with the Convention Rights, subject to being modified as recommended by the Examiner;
4. That the Staverton Neighbourhood Plan proceed to Referendum, modified as recommended by the Examiner, as set out at Appendix B of the presented report;
5. That the referendum area did not extend beyond the Staverton Neighbourhood Plan Area, as shown on the map at Appendix D of the agenda report;
6. That the Assistant Director Planning be authorised to publish the Decision Statement set out at Appendix E of the presented report; and
7. That the Returning Officer be instructed to conduct a referendum on the Staverton Parish Neighbourhood Plan.

E.87/23 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.88/23 FUSION LIFESTYLE - LEISURE CONTRACT UPDATE

Members considered an Exempt report seeking approval for a variation to the Council's existing contract with Fusion Leisure.

In discussion, a number of Members expressed their support for the proposals contained within the Exempt agenda papers.

It was then:

RESOLVED

1. That Council be **RECOMMENDED** to approve the contract variation and changes to the payments profile for the five years 2023-24 to 2027-28 (as set out in Section 4 of the presented agenda report); and
2. That authority be delegated to the Lead Member for Community Services, Director of Place and Economy and Section 151 Officer to finalise the terms of the profit share agreement for the five years 2023-24 to 2027-28.

(Meeting commenced at 10.00 am and concluded at 1.40 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.76/23 (Part 1), E.79/23 (Part 2), E.80/23 (Part 2), AND E.88/23 (Part 1), WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 21 MARCH 2024, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 18 MARCH 2024 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)