

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON THURSDAY 18 APRIL 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 Allen; Carson (via Teams); Dennis; Hawkins; Penfold (via Teams), and Taylor

Officers in attendance and participating:		
All items		Senior Leadership Team; Deputy Monitoring Officer; Head of Democratic Services; Assistant Director – Strategy (via Teams); Head of Economy & Place; Head of Housing and Principal Climate Change Officer (via Teams)

E.91/23 MINUTES

The minutes of the Executive meeting held on 7 March 2024, and the Special Executive meeting held on 13 March 2024 were both confirmed as a true and correct record.

E.92/23 URGENT BUSINESS

(a) South West Water

The Leader advised that he had exercised his discretion to enable for one item of urgent business to be brought forward to this meeting. The item related to South West Water and, specifically, the ongoing issues surrounding the pollution of the waterways of the South Hams.

In so doing, the Leader informed that he would be bringing forward a Notice of Motion to the Full Council meeting to be held on 25 July 2024 (the earliest possible opportunity) highlighting the health, environmental and tourism implications of South West Water's current working practices. In addition to raising awareness of this intention amongst the wider membership, the Leader also invited Members to provide their ideas and thoughts in preparation for the debate at that Full Council meeting.

E.93/23 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 and these were recorded as follows:

With regard to agenda item 7 ('Freeport Update' (Minute E.96/23 below refers)), Cllr J Birch advised that, in his capacity as the Council's appointed representative on the Plymouth & South Devon Freeport Board, he had been granted a dispensation from the Monitoring Officer to be able to take part in the debate and vote on all matters related to the Freeport.

Whilst a non-Executive Member, Cllr Hawkins declared a personal interest in agenda item 8 ('South Hams Festival' (Minute E.97/23 below refers)) by virtue of being a member of the Port of Dartmouth Royal Regatta Committee and remained in the meeting and took part in the debate on this item.

E.94/23 QUESTION TIME

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

a) From Chris Wright

"Can the representative member on the Freeport Board influence the Freeport to release the original bid document? If not, why not, when it is so clearly in the public interest to know its content, especially regarding Dartmoor?"

In response the Lead Executive Member for Economic Development; Commercial Strategy; and Governance advised that:

"The outer boundary rationale from the original bid document would be put in the governance section of the Plymouth and South Devon Freeport website, alongside the Full Business Case and board minutes. This was with the Freeport website team for publishing and would be uploaded onto the website by the end of next week."

b) From Christel Goodwin

"The Leader of South Hams Council has stated that if the Freeport is not working to the benefit of residents the Council will pull out. What are the criteria and timescales for this, and has the Leader consulted on the legal and cost implications of this?"

In response, the Lead Executive Member for Economic Development; Commercial Strategy; and Governance stated that:

“The Freeport was a 25 year project and would be subject to ongoing assessment, governance and monitoring, as was the case for all projects. It would be through this process that success would be judged. The Council had a 5 year review term within the agreement between government and the local authority partners, which would be the mechanism utilised.”

c) From Jim Funnell

“In Private Eye 5th January, it was stated that (unlike EU Freeports) the annual HMRC / Border Force audit will instead be done by the Freeport itself. What reassurance of transparency can residents expect from the Freeport when it still will not release the document relating to Dartmoor outer boundary?”

The Lead Executive Member for Economic Development; Commercial Strategy; and Governance provided the following response:

“The Government remained in charge of and would conduct the Security Audit for Plymouth and South Devon Freeport. It had not been undertaken by the Freeport as suggested in the question. The Freeport would arrange to publish this document on the PASDF website as and when it was available for publication.”

d) From Martin Goldschmidt.

“Please could you quantify in simple terms what South Hams financial commitment to the freeport is and what the financial benefit to south hams taxpayers will be? Also what the government is investing overall in the Plymouth Freeport and how much of this taxpayers investment will go to subsidise private companies like Babcock?”

By way of a reply, the Lead Executive Member for Economic Development; Commercial Strategy; and Governance advised that:

“The aim and ambition of the Freeport from a South Hams perspective was singular and simple. It was to encourage development of the employment land allocated in our Joint Local Plan at Sherford and Langage, by companies that wished to contribute to our economy and create local job opportunities. (The Plymouth and South Devon Freeport aimed to create 3,584 jobs over the project period). The acceleration of infrastructure works (roads, active travel links, power upgrades for the grid, land) were all specific contributors to that specific aim.

The Government had allocated £25 million of funding towards each Freeport. This had to be matched by public or private sector investment. The majority of the £25 million allocated for Plymouth and South Devon Freeport had been allocated on public sector led projects (infrastructure).

As set out in the Executive report on the agenda today, South Hams potential financial investment in the projects it was leading for the Freeport, had reduced from £5.5m to £3.5m.

This would be financed through external borrowing from the Public Works Loan Board and paid for by the business rates income generated from the Freeport over the life of the project. Therefore, the Freeport was projected to be self-financing, in that the business rates generated would pay for the borrowing costs.

There had been no subsidies paid to Babcock.”

e) From Paul Wesley

“In the two years that have passed since the agreement of South Hams District Council to participate and contribute funds towards the South Devon and Plymouth freeport, how much money, including officer time, has been spent on this project to date?”

In response the Lead Executive Member for Economic Development; Commercial Strategy; and Governance confirmed that:

“A significant amount of officer time had been spent on the Freeport, mainly by the Director of Finance and the Director of Place and Enterprise. They had and continued to support the governance, financial monitoring, and Council scrutiny of it, whilst contributing to specific project streams within it. In particular, preparing reports and briefings for the Council’s committee system, including the Audit and Governance Task and Finish Group, and quarterly reporting to the Executive. It cannot be quantified beyond that as Directors did not keep time sheets, and worked across numerous Council priority areas.

The Council had spent money on legal and commercial specialist advice, relating to land acquisitions connected to the Freeport. The amounts spent have been as follows:

- £25,000 for the land valuation at Sherford;
- £8,542 on Subsidy control advice for the land acquisition at Sherford; and
- £1,500 on a Geotechnical Assessment.

The Council had also spent £3,329 on financial modelling for the Freeport, which was the Council’s share of a shared resource for the Freeport partnership.

These amounts were recoverable from the business rates income that would be generated from the Freeport.

£46,800 had been paid for legal support for the proposed compulsory purchase of land at Langage (which was no longer progressing, as the land was to be brought forward by the landowners for development).”

f) From Paul Wesley

“What measures have been put in place to ensure that the public are fully informed about the SDPF and what plans are there to inform the public in future?”

The Lead Executive Member for Economic Development; Commercial Strategy; and Governance provided the following response:

“The Freeport published the minutes of its board meetings which provided an update on the activities of the Freeport Company and the progress of projects. Plymouth City Council, Devon County Council and South Hams District Council all brought regular public reports to their committees, such as the one on the agenda today. The PASDF website also included regular news updates. Regular news reports on the progress of the Freeport projects would be published and circulated to news outlets as well as being included on the Freeport website.

The Freeport was committed to providing transparency and continuously updated the website to ensure easy access to information”.

E.95/23 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 and the contents were duly noted.

E.96/23 FREEPORT UPDATE

The Executive considered a report that provided an update on the progress made across a multitude of work strands within the Plymouth and South Devon Freeport (PASDF).

In his introduction, the lead Executive Member made specific reference to:

- this being the first quarterly Freeport Update report since the Council had supported each of the 17 recommendations (of which the production of a quarterly update report was one) generated by the Freeport Task and Finish Group at its meeting held on 14 December 2024 (Minute 38/23 refers);
- the Devon County Council (DCC) Cabinet (at its meeting held on 10 April 2024) had voted to approve the delivery of a spine road and pedestrian/cycle bridge relating to the Freeport. In highlighting the importance of this decision, the lead Member encouraged interested parties to read the report and minutes on the DCC website;
- whilst the published agenda report had committed to providing a verbal update at this meeting in relation to the Sherford land acquisition, the lead Member informed that the only update at this time was that matters were progressing however contracts were yet to be signed; and
- at the appropriate time, it was his intention to propose an additional (part 3) recommendation that would read as follows:

3. That the Executive request that the Audit & Governance Committee continue its monitoring role of the Freeport and be encouraged to set up a Working Group at its next scheduled Committee meeting to monitor the implementation of the 17 recommendations that were generated by the Freeport Task & Finish Group and were ultimately supported by Full Council at its meeting held on 14 December 2023 (Minute 38/23 refers).

During the ensuing debate, the following points were raised:

- (a) Some Members each raised their concerns that the Heart of the South West Local Enterprise Partnership had ended up being inefficient and ineffective and these Members reiterated that they would not want any element of that to be replicated with the Freeport (NB. there was no suggestion at this point that there would be);
- (b) A number of questions were raised and points made that related to the current live planning application for an onsite hydrogen pipeline. It was noted that the application would be determined by the District Council and, whilst a number of discussion points had been made at this meeting, the Monitoring Officer was content that no Members had predetermined themselves at this time from being able to partake in the Development Management process on this planning application;
- (c) A number of Members expressed their wholehearted support for inclusion of the additional recommendation;

- (d) Whilst there were risks associated with the Freeport project, a number of Members made the point that the advantages arising from the extensive investment by Central Government into the Plymouth and South Devon area should not be underestimated. As a result, these Members were of the view that the Council owed it to its residents and local communities to support the project;
- (e) In terms of establishing tangible performance measures to ensure effective monitoring of the project, it was hoped that some would be aligned to the 17 recommendations made by the Task and Finish Group. In addition, it was felt that, for future quarterly reports, it would be helpful to have a Gantt Chart included that set out key project milestones.

It was then:

RESOLVED

1. That the contents of the presented update report be noted;
2. That the Council's borrowing requirement for the Freeport had reduced from £5.5m to £3.5m, be noted; and
3. That the Audit & Governance Committee continue its monitoring role of the Freeport and be encouraged to set up a Working Group at its next scheduled Committee meeting to monitor the implementation of the 17 recommendations that were generated by the Freeport Task & Finish Group and were ultimately supported by Full Council at its meeting held on 14 December 2023 (Minute 38/23 refers).

(Note: at this point (11.25am) the meeting was adjourned for a period of 10 minutes).

E 97/23 SOUTH HAMS FESTIVAL

The Executive was presented with a report that sought Member support for the delivery and funding of a South Hams Arts and Culture festival in 2025.

In discussion, the following points were raised:

- (a) To underline the commitment of the Council, a number of Members welcomed the intention to develop an Arts and Culture Strategy for adoption;
- (b) Whilst in its infancy as a proposal, the majority of Members felt that the proposal was worthy of further exploratory works being undertaken prior to a final decision being taken by the Executive in the Autumn;

- (c) In acknowledging that the proposal was in its early stages, Members made the following suggestions to be given consideration:
- The ability to develop closer linkages with the existing Villages in Action organisation;
 - The need to give emphasis to the provision of events for young people;
 - The ability to achieve revenue via a crowdfunder campaign; and
 - The ability to make better use of the local Town Markets;
- (d) Some Members stated that their support at this time was conditional on the Festival being a truly South Hams wide event. To that end, a Member stated that there must be a tangible benefit to all town and parish councils before they were asked to make a contribution to the event;
- (e) The importance of all local Ward Members being able to champion such an event amongst all of their local town and parish councils was emphasised. In expanding upon the point, the view was expressed that the success of the proposal was wholly dependent upon the enthusiasm and drive of all local Ward Members;
- (f) At the request of the meeting, the Section 151 Officer informed that, if ultimately approved, the Festival would be held during the summer of 2025 with any budgetary implications therefore falling within the 2025/26 Financial Year. For clarity regarding the wish to secure a minimum of 50% of the funding through local partners, a minor amendment to part 2 of the recommendation was **PROPOSED**, **SECONDED** and when put to the vote declared **CARRIED** as follows:
- 2. to underwrite the cost of the festival in its first year up to the value of £32,500, in anticipation of a minimum of 50% of the £65,000 funding being secured through local partners;*
- (g) As a word of caution, a Member summarised some of the risks that she foresaw as follows:
- The budgetary position of the partner organisation and the need to look closely at its make-up;
 - The potential to upset and alienate existing volunteer groups who were already running very successful community events;
 - The timing of a final decision and how that would tie-in with town and parish councils setting their respective precepts and the timing of other external funding applications; and
 - The lack of existing officer capacity to support what would be in excess an additional piece of work that was not included in the Council Plan.

In reply, the lead Member recognised that the proposal was not without risk and stated that the purpose of presenting the matter to this meeting was to ascertain whether there was Member support at this stage to continue to work on the proposal. He also stated that, assuming there was Executive support for the principle of an Arts Festival, then further meetings would take place to go through the detail of the proposal and address the points that Members had raised in this debate.

It was then:

RESOLVED

1. That the development of a South Hams Arts and Culture Strategy and Festival (to be delivered in the summer of 2025) be supported;
2. That, in anticipation of a minimum of 50% of the £65,000 funding being secured through local partners, the cost of the festival be underwritten in its first year up to the value of £32,500; and
3. That the funding be found from within the Year 2 (2025-26) Delivery Plan allocation.

E.98/23

VERBAL PROGRESS UPDATE ON HOUSING PROJECTS

Members were presented with a verbal update by the lead Executive Member for Housing on progress made with various Housing Projects being undertaken within the District.

In discussion, reference was made to:

- the recent news that 830,000 households across the country had been forced into making an 'unwanted move'. The lead Member felt this to be a particularly sad state of affairs;
- whilst officers continued to be proactive, tackling temporary accommodation numbers remained a significant challenge for the Council. Currently 33 households were residing in temporary accommodation (a reduction from 37 households). To illustrate the additional cost implications to the Council, the lead Member advised that these had increased from 1% of the Council's total revenue budget in 2019/20 to 4% at this present time;
- with regard to the South Hams Housing Offer, the lead Member confirmed that a number of sites were progressing well. In stating that this was very encouraging, the Member expressed her thanks to those landowners who had already come forward;
- the intention for an additional Housing Advisory Group meeting to be scheduled into the Member Meeting Calendar;
- the close working relations that had been developed between the Council and the recently established Devon Housing Commission.

E.99/23 **CLIMATE CHANGE AND BIODIVERSITY EMERGENCY - VERBAL UPDATE**

The lead Executive Member for Climate Change provided an update on recent activity undertaken. In so doing, the lead Member made particular reference to:

- a great deal of work was being undertaken on updating the Council's Carbon Footprint data;
- a proposal was being designed with regard to extending the provision of Solar PV's at Follaton House. Furthermore, works were also ongoing in respect of both the installation of a rapid EV charging point within Follaton House Car Park and the installation of Solar PV's on the Leisure Centre buildings. With regard to the Leisure Centre buildings, a Member commented that this had been recognised as a top priority of this Council administration and it was therefore hoped that these would be installed as soon as was practically possible;
- the Council's Marine Officer developing a project regarding the recycling of boats as opposed to them either sinking or entering landfill;
- a meeting was to be held imminently regarding the production of a template to support and encourage parish councils and local community groups who wished to install Solar PVs on their village halls and community centres;
- the importance of the town markets in respect of the 'keep it local' campaign; and
- World Earth Day taking place on Monday, 22 April. Members hoped that the Council could undertake some communications to promote the importance of this Day.

(Meeting commenced at 10.00 am and concluded at 1.10 pm)

Chairman

(NOTE: THESE DECISIONS, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 29 APRIL 2024 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)