

NORTH DEVON COUNCIL

Minutes of a meeting of NORTH DEVON COUNCIL held at Brynsworthy Environment Centre, Barnstaple on Wednesday 4th April 2018 at 6.00 p.m.

PRESENT: Members:

Councillor Croft (Chair)

Councillors Barker, Biederman, Bonds, Bradford, Brailey, Campbell, J Cann, R Cann, Chesters, Chugg, Crabb, Davis, Edgell, Edmunds, Flynn, Fowler, Greenslade, Gubb, Haywood, Hunt, Jones, Lane, Ley, Lovering, Leaver, Luggar, Manuel, Mathews, Meadlarkin, Moore, Moores, Patrinos, Prowse, Roome, Spear, Tucker, Webber, White, Wilkinson, Wood, Worden and Yabsley.

Officers:

Chief Executive (MM), Head of Corporate and Community Services (KM), Accountancy Services Manager (TR) and Corporate and Community Services Officer (KJ).

98 APOLOGIES FOR ABSENCE

No apologies for absence were received.

99 MINUTES

RESOLVED that the minutes of the meetings held on 13th February 2018 and 21st February 2018 (circulated previously) be approved as correct records and signed by the Chairman.

100 CHAIRMAN'S ANNOUNCEMENTS

The Chairman invited Councillor Ley to address Council.

Councillor Ley expressed his thanks to Mike Kelly for his work for the District Council over his career in the planning department, stating that his wealth of knowledge and expertise would be sorely missed.

101 TO CONSIDER MOTIONS OF WHICH NOTICE HAD BEEN SUBMITTED BY MEMBERS IN ACCORDANCE WITH PART 4, COUNCIL PROCEDURE RULES, PARAGRAPH 11 OF THE CONSTITUTION

(a) Notice of Motion received from Councillor Worden

Councillor Worden presented his notice of motion to Council.

It was moved by Councillor Worden and seconded by Councillor Greenslade “That following the change in political balance at NDC all press releases relating to Council wide matters should contain quotes from all groups. The existing practice of releases relating to ward matters should continue to include quotes from the relevant ward member/s in addition to the appropriate Executive member.”

Council discussed the current process and the involvement of the Communications staff in the issuing of the press releases.

Councillor Brailey advised Council that the procedure had been brought in by the previous Council administration and that the policy was still being followed.

It was moved by Councillor Brailey and seconded by Councillor Worden that as “this would effectively be a procedural change that the Head of Corporate and Community Services clarify the existing procedure with the Communications team and, should any changes be required, report back to Council at a later date”.

It was taken on board by Councillors Brailey and Worden that the motion be referred to the Monitoring Officer with a view to report back to the next Full Council after consultation with all the Group Leaders.

The motion was carried.

RESOLVED that following the change in political balance at NDC all press releases relating to Council wide matters should contain quotes from all groups. The existing practice of releases relating to ward matters should continue to include quotes from the relevant ward member/s in addition to the appropriate Executive member, with an amendment being that that the motion be referred to the Monitoring Officer with a view to report back to the next Full Council after consultation with all the Group Leaders.

(b) Notice of Motion from Councillor Greenslade

Councillor Greenslade presented his notice of motion to Council.

Councillors Biederman, Chugg, Edgell, Greenslade, Mathews and Yabsley declared personal interests as Devon County Council Councillors.

It was moved by Councillor Greenslade and seconded by Councillor Patrinos “That Council expresses its concern at the attempts by NHS England and the Health Secretary to make changes to NHS structures from April 2018 which will see the introduction of Integrated Care Systems taking over delivery of health and social care services. While the integrated care approach may be supportable the lack of consultation and scrutiny over the implications of changes at very short notice is a negation of democracy. Council agrees to

write to the Devon Clinical Commissioning Group (CCG) and Devon County Council (DCC) calling on them to delay changes until adequate consultation and scrutiny can take place.”

Councillor Greenslade addressed Council and gave a summary of the role of the Accountable Care Organisations (ACOs) and stated that the decision had been called in by Devon County Council’s Cabinet and that the Health Scrutiny Committee had agreed to defer the decision until proper consideration could be given.

Councillor Crabb addressed Council and advised that the motion was incorrect in that Devon County Council had confirmed, during a presentation, that no final decision had been made and that it had been emphasised that, to date, the issues had only been considered. Cabinet and the CCG had a legal duty to provide the services.

Councillor Brailey suggested that the issue be considered at the Overview and Scrutiny Committee.

Councillor Patrinos advised that there had not been any official decision or papers to consider, therefore the Overview and Scrutiny Committee could not consider this issue and emphasised that North Devon Council needed to stand up and support the local population in securing their health services.

Councillor Roome declared a personal interest as an employee of Northern Devon Healthcare Trust.

It was moved by Councillor Greenslade and seconded by Councillor Brailey that the issue be brought to Overview and Scrutiny Committee once there was sufficient information to consider and, that the Council write to the County Council and the CCG.

RESOLVED that;

- (a) Council expresses its concern at the attempts by NHS England and the Health Secretary to make changes to NHS structures from April 2018 which will see the introduction of Integrated Care Systems taking over delivery of health and social care services; while the integrated care approach may be supportable the lack of consultation and scrutiny over the implications of changes at very short notice was a negation of democracy therefore Council agrees to write to the Devon Clinical Commissioning Group and Devon County Council calling on them to delay changes until adequate consultation and scrutiny can take place.”
- (b) The issue be brought to a future Overview and Scrutiny Committee once there was sufficient information to consider and, that the Council write to the County Council and the CCG.

Councillor Roome abstained from voting.

102 DECLARATIONS OF INTEREST

The following declarations of interest were announced:

Councillor Davis	Item 6(b):	Personal interest as Devon County Council Cabinet Member
	Item 11:	Personal interest as Member of North Devon Coast Areas of Outstanding Natural Beauty (AONB) Partnership appointed by Exmoor National Park Authority.

103 EXECUTIVE REPORTS

(a) Executive Leader Report

Council noted a report by the Leader of the Council (circulated previously) regarding the work of the Executive.

Councillor Greenslade addressed Council and added that with regards to the issue of the RMB Chivenor site it was important for a 'Plan B' to be in place should the Marines withdraw from the site. Councillor Greenslade advised that he had taken a motion to Devon County Council Cabinet, which had been agreed, to work with Plymouth City Council to decide upon a course of action with regards to the future of Chivenor and its impact on the economy of North Devon. He advised that a Task and Finish Group had recently been appointed by the Overview and Scrutiny Committee to look into the matter.

Councillor Brailey confirmed that he had recently invited Members (via the NDC's Weekly Information Sheet e-newsletter) to get involved in the creation of a group to look at the Growth Agenda. He asked that any interested members contact the Corporate and Community Services team.

(b) Executive Members reports, as required

There were no Executive Member reports.

(c) Questions to Executive submitted under Part 4, Council Procedure Rules, paragraph 10 of the Constitution

The following questions were submitted in advance of the meeting and responses provided by the Leader and Executive Members were tabled:

- i. Question to Councillor Brailey from Councillor Leaver "Citizens Advice advise that the roll out of Universal Credit (UC) results in large numbers of people waiting with no income for up to 10 weeks for their first payment (1 in 3 waiting for more than 6 weeks, 11% over 10 weeks), and personal debt increasing. Given the likely impact of Universal

Credit on residents of North Devon, would Councillor Brailey explain to Council what measures would be in place to support UC claimants when it was rolled out here later this year, and will Councillor Brailey ensure that Members received a full briefing well before the roll out Universal Credit locally". Councillor Brailey responded "Councillor Leaver thank you for your question. This Council echoes your view that the Citizens Advice Bureau provide an essential support to our residents and thus one of the reasons we provide an annual grant to the CAB which for 2018-19 we have maintained at £45,000; the same level for the last four years at a time when funding to this authority has been reduced.

Department for Works and Pensions (DWP) have introduced a number of measures to address the concerns about the Universal Credit roll out, I will outline these to you below:

- Seven-day initial waiting period for processing of claims to be scrapped
- Claimants to get 100% advance payments within five days of applying
- New universal credit claimants in receipt of housing benefit to continue to receive it for two weeks
- Typical first payment will take five weeks rather than current six
- Repayment period for advances to increase from six to 12 months

Officers from this Council attend a Devon Universal Credit Ambassadors meeting. This group was attended by CAB, Voluntary Sector organisations, Registered Social Landlords, Local Authorities and Department for Works and Pensions (DWP) therefore we were working closely alongside the other agencies. North Devon Council had also signed up for funding from the DWP to provide an additional "Personal Budgeting Support" service to claimants which would be delivered through our Customer Service team based in Lynton House. This would also include an "Assisted Digital Support" service to claimants to help with completing and accessing all the relevant information they require as part of the Universal Credit service.

It is important to understand the number of potential people affected as it was not all current claimants - North Devon

Council have around 8000 claimants currently on Housing Benefit. Over 50% of these claimants were of pensionable age and these claimants were not affected by the change and do not transfer over to Universal Credit. Additionally any claimants who were vulnerable and those in supported accommodation are were also not affected. The remainder (less than half of the above 8000) are only affected if they have a change of circumstances or are a new claimant – only then will they move over to Universal Credit.

A briefing for all Members was scheduled prior to today's Council meeting; however this was unfortunately postponed due to Group meetings and was now planned before the next Council meeting in July. An Officer from the Department for Works and Pensions will be at the briefing to run through all of the above and answer any questions Members may have. In addition, Officers within our own Resources Team were available before the roll out to alleviate any concerns you may have. Please discuss further with the Head of Resources if you would like any further information."

In response to a supplementary question from Councillor Leaver, Councillor Brailey advised "the problem of supporting children from those families with financial difficulties whilst applying for Universal Credit would be the responsibility of the County Council rather than District Council. Whilst NDC sympathised with those families the Council did not have the fiscal means to be able to provide financial assistance".

The Chief Executive advised Council that staff were available to assist with such enquiries and urged Members to encourage constituents who were experiencing difficulties to contact the Council.

- ii. Question to Councillor Brailey from Councillor Greenslade "Can the Leader confirm the date when we expect to learn the final proposals for ward boundaries which will become effective from May 2019?" Councillor Brailey response "Councillor Greenslade, thank you for your question. Please see the timetable below.

Updated Timetable May 2017

Stage	Date
Council Size Meeting	18 July 2017
Warding Patterns Consultation	25 July 2017 – 2 October 2017
Draft Recommendations to	21 November 2017

Commission	
Draft Recommendations Consultation	5 December 2017 – 19 February 2018
Final Recommendations to Commission	24 April 2018
Final Recommendations Published	8 May 2018
Order Laid	June 2018
Implementation	Elections 2019

- iii. Question to Councillor Brailey from Councillor Tucker “Can the Leader please say what plans were in place to cover the nine vacancies in the Planning Department consequent upon the retirement of the Planning Manager and other vacancies due to staff leaving?” Councillor Brailey response “Councillor Tucker thank you for your question.

Planning Changes:

1) Planning Manager Early retirement agreed by leaders meeting and Personnel Committee. Actual leaving date not yet finalised. External advert for new head of service with responsibilities for planning and economic development. (Member appointment panel). As well as the Chief Executive, the Head of Corporate and Community Services would be providing support at head of service level where needed. External recruitment at national level, process underway.

2) Lead delivery officer post no longer required. Existing lead officers are keen to take on the strategic development role provided the 20% fee increase can provide them with support at a lower level. (two posts could be funded through this route)

3) Senior Planning Officer on secondment to Economic Development. Internal candidates have been identified to work in this post and that transfer of duties is likely to be rapid following internal recruitment process (already started)

4) Senior Planning Officer to Torridge District Council. Post vacant from the end of April authority to recruit has been cleared and recruitment process has commenced.

5) Planning Officer vacancy. Three applicants were being interviewed on 18th April.

6) Two Enforcement Officers. Six candidates shortlisted for interview on 12th April

7) Temporary Maternity Cover Planning Officer Interest from an internal candidate and two students on training contracts. Interviews 20th April.

8) Maternity Cover Senior Administrator. Support in place from existing admin staff plus enhanced support from

corporate project management and IT to drive forward the replacement IT systems work.

9) Two Data Capture Officers, Filled from yesterday.

In response to a supplementary question from Councillor Tucker, the Chief Executive advised that “discussions with the Planning Manager had started prior to September 2017 following an initial enquiry from the Planning Manager as to whether there was an opportunity for him to retire. In terms of a plan it has been evolving since then. Consideration had to be made as to what the planning department could look like and what would be the most cost-effective way of achieving this without losing the senior post. The final proposal had only been agreed over the past month. The date on which the planning manager would leave would be set by the Chief Executive taking account of the needs of the service. There were a number of senior staff who have stepped forward to assist with any gap before the post is filled. The team had been advised that extra resources were temporarily available to assist if required over the period of change”.

Councillor Tucker thanked the Chief Executive for his detailed response.

(d) Recommendations of the Executive

There were no recommendations for adoption.

104 THE NORTH DEVON COAST AREAS OF OUTSTANDING NATURAL BEAUTY – DELIVERING FOR PEOPLE, PLACES AND WILDLIFE

Council received a presentation by Jenny Carey-Wood, Manager, North Devon Coast Areas of Outstanding Natural Beauty (AONB). She outlined the work of the organisation.

Jenny Carey-Wood thanked the Council for its financial support as those funds were used to attract extra funding from central government. Their funding was 75% from DEFRA and 25% from Local Government. The AONB consists of 27 members and 2.5 staff. She explained that the AONB only deals with the coastline although this does cross the county border. It covers 66 square miles and 88km of coastline. The AONB works within the Countryside and Rights of Way (CRoW) Act 2000 under section 85- General Duties of Public Bodies. This Act required the AONB to produce an action plan every five years. The review was due in 2018/19. She explained that although the AONB were not a decision-making authority, 97% of decisions made by district planning teams matched the recommendations of the AONB. Projects undertaken by the AONB included Coastal Creatures, Work Experience schemes, Chough Surveys, Lee Bay Bio-Blitz and the Greater

Horseshoe Bat Project in Braunton. Highlights from 2017/18 included bat walks/talks, volunteering opportunities, surveys, and beach cleans. They had received £52,000 in funding from Tesco's Bags of Help fund. The AONB's Small Grants Scheme gave out grants totalling £24,102 during the year to 13 projects, of which six were in the North Devon District area, five in Torridge District and two which were across the whole of the AONB area.

Jenny Carey-Wood advised Council of the AONB's priorities going forward which were:

- a Management Plan Review - which would be subject to consultation in the summer
- Coastal Heritage Project – for which the AONB had recently been awarded £50,000 of funding. This project would include looking into WW2 history around the coast and hill fort sites
- Devon Local Nature Partnership and 'Naturally Healthy May'.

Council thanked Jenny Carey-Wood for her presentation.

105 21:21 PHASE 2 PROJECT

Council received a presentation by the Head of Corporate and Community Services regarding the 21:21 Phase 2 Project. He outlined the purpose of the Council's Corporate Priorities: Organisational Transformation and Growing North Devon and explained that the 21:21 project was part of the Organisational Transformation priority.

He confirmed the themes of the project were:

- Leaning and transformation of processes
- One Site
- Improving Waste and Recycling Service
- Income Generation

The Head of Corporate and Community Services advised Council of the following:

Leaning and transformation of processes included:

- the implementation of new working processes within the Revenues and Benefits team, the processing of complaints and the processes within Waste and Recycling.
- New ICT systems were being introduced throughout the Council

One Site:

- The second storey had been built at the Brynsworthy office
- Legal, Human Resources and Environmental Health and Housing had now moved.
- Legal storage had been provided

- Car parking survey had recently been completed.
- The new security system for BEC had been installed and the security passes were now being issued.
- Property at Castle Street, Barnstaple, was now being used to provide temporary accommodation. This had enabled revenue savings to be made.

Improving Waste and Recycling Service (Recycle More)

- Although bad press had initially been received there had been positives from the scheme.
- There had been an increase in the number of those signing up for the green waste collection service.
- The in-cab system (FIRMSTEP) was now installed and the Customer Relations Management (CRM) system used by Customer Services could now directly connect to it.
- An average of 58 tonnes of food waste was now being collected. This would previously have gone to land-fill sites
- A survey had been issued to those households in the trial area. The closing date to return those surveys was due shortly.
- Rounds may still be remodelled, including the remodelling of the standard 'green' and 'black' collection rounds.
- Options for a new bailer were being considered.

Councillor R. Cann addressed Council regarding the Plastic-Free initiative, as Portfolio holder for Waste and Recycling. He was delighted with the enthusiasm shown for the cause today at the Plastic Free Campaign workshop and hoped that it would be built on further in order to increase its reach. He advised that he hoped that the Members would support the '2 Minute Beach Clean' initiative which had been established at some of the local beaches. He felt that it could be used in urban and countryside areas to encourage litter cleaning events.

Income Generation

The Head of Corporate and Community Services advised Council that

- The use of the property at Castle Street, Barnstaple, as temporary accommodation, had made capital savings.
- The Council had approved the purchase of similar properties to enable this facility to be extended. Reducing need to placing homeless people in emergency accommodation, thus reducing costs.
- Many Councils had investment strategies which involved investing in properties (not always in their district) to create revenue income. This may be considered in future as an approach achieving additional income.

106 STATUTORY PAY POLICY

Council considered a report by the Human resources Manager (circulated previously) regarding the Council's Statutory Pay Policy.

It was moved by Councillor Luggar and seconded by Councillor Brailey "that the recommendation in the report be adopted".

RESOLVED that the Statutory Pay Policy 2018 and Annex thereto be approved.

107 OUTSIDE BODIES – REPORT OF APPOINTEES

Council considered a report by the Head of Corporate and Community Services (circulated previously) regarding Outside Bodies – Reports of Appointees.

An additional report was tabled providing details of some of the remaining Councillors' outside bodies.

RESOLVED that the reports of the appointees be noted.

108 URGENT DECISIONS TAKING DURING THE PERIOD 13TH FEBRUARY 2018 – 22ND MARCH 2018

Council noted the urgent decision taken by the Leader during the period 13th February 2018 to 22nd March 2018 (circulated previously).

109 REPORT OF CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE

Council noted a report of the Chairman of the Overview and Scrutiny Committee (circulated previously) regarding the work of the Overview and Scrutiny Committee.

110 REPORT OF CHAIRMAN OF AUDIT COMMITTEE

Council noted a report of the Chairman of the Audit Committee (circulated previously) regarding the work of the Audit Committee.

111 MINUTES OF COMMITTEES

(a) **Audit Committee**

RESOLVED that the following minutes of the Audit Committee (circulated previously) be noted and adopted as follows:

- (i) 6th March 2018

(b) **Overview and Scrutiny Committee**

RESOLVED that the following minutes of the Overview and Scrutiny Committee (circulated previously) be noted and adopted as follows:

- (i) 15th March 2018

(c) **Personnel Committee**

RESOLVED that the following minutes of the Personnel Committee (circulated previously) be noted and adopted as follows:

- (i) 21st March 2018

- (A) Minute 3: Early Retirement (NOTE: This recommendation was considered under minute 112).

(d) **Planning Committee**

RESOLVED that the following minutes of the Planning Committee (circulated previously) be noted and adopted as follows:

- (i) 14th February 2018

112 EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS

RESOLVED:

- (i) That, under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involved the likely disclosure of exempt information as defined by Paragraph 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to any individual.
- (ii) That all documents and reports relating to the item be confirmed as "Not for Publication".

113 EARLY RETIREMENT

Council considered a report by the Human Resources Manager and minute extract of the special meeting of the Personnel Committee held on 21st March 2018 (circulated previously) regarding a request for early retirement.

The Chief Executive advised that the case had been referred to Council for a decision due to the total financial cost to the Council exceeding the limit set.

It was moved by Councillor Brailey and seconded by Councillor Barker “that the proposal for the employee’s (Personal ID 10051) early retirement on the grounds of efficiency with effect from 30th April 2018 be supported”

RESOLVED that the proposal for the employee’s (Personal ID 10051) early retirement on the grounds of efficiency with effect from 30th April 2018 be supported.

Chairman

The meeting ended at 7.32 p.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of Council.