



North Devon Council  
Brynsworthy Environment  
Centre  
Barnstaple  
North Devon EX31 3NP

M. Mansell, BSc (Hons),  
F.C.P.F.A.  
Chief Executive.

To : All Members of the Council  
and Chief Officers

**NOTE: PLEASE NOTE THAT PRAYERS WILL BE SAID AT 5.55 P.M. PRIOR TO THE COUNCIL MEETING FOR ANY MEMBER WHO WISHES TO ATTEND**

### **COUNCIL MEETING**

**YOU ARE HEREBY SUMMONED** to attend a meeting of **NORTH DEVON COUNCIL** to be held at Brynsworthy Environment Centre, Barnstaple on **WEDNESDAY 25<sup>TH</sup> JULY 2018 AT 6.00 P.M.**

**Chief Executive**

### **AGENDA**

1. Apologies for absence.
2. To approve as a correct records the minutes of the meetings held on 27<sup>th</sup> March 2018 and 4<sup>th</sup> April 2018 (attached) subject to the inclusion of Councillor Flynn as being recorded as giving her apologies under minute 94 for the meeting held on 27<sup>th</sup> March 2018.
3. Chairman's announcements.
4. Business brought forward by or with the consent of the Chairman.
5. Replies to any questions submitted by the Public and/or to receive Petitions under Part 4, Council Procedures Rules, Paragraphs 8 and 9 of the Constitution.
6. To consider motions of which notice has been submitted by Members in accordance with Part 4, Council Procedures Rules, Paragraph 11 of the Constitution.
7. Declarations of Interest **(NB. Members only need to re-declare any interests previously declared at Committee and Sub-Committee meetings if the item is discussed at Council).**
8. Chairman's replies to any questions to Council by Members submitted under Part 4, Council Procedures Rules, Paragraph 10 of the Constitution.

9. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

## **PART 'A'**

10. **Executive reports.** (NOTE: Minutes of the meeting of the Executive held on 9<sup>th</sup> April 2018, 8<sup>th</sup> May 2018, 4<sup>th</sup> June 2018 and 2<sup>nd</sup> July 2018 (attached). **(NOTE: Please refer to Guidance Notes for Rules of Debate at meetings of Council on page 6 of the agenda front pages)** (Pages 1 to 33).
- (a) **Executive Leader Report.** Report of Leader (attached). (Page 34).
  - (b) **Executive Members reports, as required**
  - (c) **Questions to Executive submitted under Part 4, Council Procedure Rules, paragraph 10 of the Constitution.**
  - (d) **Recommendations of the Executive.** There are no recommendations for adoption. (Pages 35 to 36)
    - (i) **8<sup>th</sup> May 2018**  
(A) **Minute 15 (e): Tarka Tennis Centre Artificial Grass Pitch.**
    - (ii) **4<sup>th</sup> June 2018**  
(A) **Minute 27 (b): Approval and Release of Section 106 Funds – Pilton Park and Princess Avenue Play Areas.**  
(B) **Minute 28 (d): Approval and Release of Section 106 Public Open Space Funds (Barnstaple, Croyde and Fremington).**
    - (iii) **2<sup>nd</sup> July 2018**  
(A) **Minute 36 (b): Approval and Release of Section 106 Open Space Funds – Combe Martin.**
11. **#2minutebeachclean.** Presentation by Martin Dorey.
12. **Merger of Devon and Cornwall Police with Dorset Police.** Presentation by Superintendent Toby Davies, Commander for North and West Devon.
13. **Performance and Financial Management Quarter 4 of 2017/18.** (NOTE: copy of the report that was considered by the Executive on 4<sup>th</sup> June 2018 is attached). (Pages 37 to 76)
- (a) **Report of meeting of the Overview and Scrutiny Committee.** To receive the report of the meeting of the Overview and Scrutiny Committee held on 12<sup>th</sup> July 2018 (to follow).
  - (b) **Report of meeting of the Executive.** To receive the report of the meeting of the Executive held on 4<sup>th</sup> June 2018 (attached). (Page 77)

14. **Annual Treasury Management Report 2017/18.** (NOTE: A copy of the report that was considered by the Executive on 2<sup>nd</sup> July 2018 is attached). (Pages 78 to 88)
  - (a) **Report of meeting of the Overview and Scrutiny Committee.** To receive the report of the meeting of the Overview and Scrutiny Committee held on 12<sup>th</sup> July 2018 (to follow).
  - (b) **Report of meeting of the Executive.** To receive the report of the meeting of the Executive held on 2<sup>nd</sup> July 2018 (attached). (Page 89)
15. **Review of Governance Arrangements.** Report by Head of Corporate and Community (attached). (Pages 90 to 104)
16. **Community Governance Review.** Report by Head of Corporate and Community (attached). (Pages 105 to 112)
17. **Appointment of Chairman and Member to the Overview and Scrutiny Committee 2018/19.** To consider the appointment of Chairman and Member to the Overview and Scrutiny Committee for the remainder of the municipal year 2018/19.
18. **Appointment of Independent Members of the Harbour Board.** Report by the Harbour Master (attached) and minute extracts of the Ilfracombe Harbour Board held on 8<sup>th</sup> May 2018 and special Ilfracombe Harbour Board held on 3<sup>rd</sup> July 2018 (attached). (Pages 113 to 116).
19. **Appointments to Committees 2018/19.** To consider the appointment of a Liberal Democrat Member to replace Councillor Leaver on the Licensing Committee and to note that due to a typographical error at Annual Council Councillor Worden has been appointed to the Planning Committee in place of Councillor Wilkinson.
20. **Urgent Decisions Taken During the Period 23<sup>rd</sup> March 2018 – 16<sup>th</sup> July 2018.** Report by Councillor Brailey, Executive Leader (attached). (Pages 117 to 121)
21. **Minutes of Committees.** (Pages 122 to 173)

Council is recommended to note the attached schedule of committee minutes and approve recommendations as listed (see section 2 of the agenda papers).

#### **PART 'B' (Confidential Restricted Information)**

Nil.

**Reminder - Members please return your agenda to the Corporate and Community Services Officer at the end of the meeting**

**If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253**

## **SCHEDULE OF COMMITTEE MINUTES AND RECOMMENDATIONS**

### **(a) Audit Committee**

- (i) 12<sup>th</sup> June 2018 (Pages 122 to 128)
  - (A) Minute 7: Annual Governance Statement 2017/18  
(NOTE: This recommendation will be considered by Extraordinary Council on 14<sup>th</sup> August 2018).
  - (B) Minute 9: Statement of Accounts 2017/18. (NOTE: This recommendation will be considered by Extraordinary Council on 14<sup>th</sup> August 2018).

### **(b) Ilfracombe Harbour Board**

- (i) 8<sup>th</sup> May 2018 (Pages 129 to 132)
- (ii) 3<sup>rd</sup> July 2018 (Pages 133 to 135)
  - (A) Minute 14: Ilfracombe Harbour Safety Management System

### **(c) Licensing Committee**

- (i) 17<sup>th</sup> April 2018 (Pages 136 to 140)
- (ii) 12<sup>th</sup> June 2018 (Pages 141 to 143)
- (iii) 10<sup>th</sup> July 2018 (Pages 144 to 146)

### **(d) Overview and Scrutiny Committee**

- (i) 26<sup>th</sup> April 2018 (Pages 147 to 154)
- (ii) 12<sup>th</sup> July 2018 (to follow)

### **(e) Planning Committee**

- (i) 14<sup>th</sup> March 2018 (Pages 155 to 162)
- (ii) 11<sup>th</sup> April 2018 (Pages 163 to 165)
- (iii) 8<sup>th</sup> May 2018 (Pages 166 to 167)
- (iv) 13<sup>th</sup> June 2018 (Pages 168 to 173)

## **GUIDANCE NOTES FOR RULES OF DEBATE AT MEETINGS OF COUNCIL**

### Part 4, Council Procedure Rules of the Constitution

#### **The basics**

At a meeting of Full Council, Members shall stand when speaking unless unable to do so and shall address the Chair.

While a Member is speaking, other Members shall remain seated unless rising for a point of order, a point of information or in personal explanation.

No speeches may be made after the mover had moved a proposal and explained the purpose of it until the motion has been seconded.

Unless notice of motion has already been given, the Chair may require it to be written down and handed to him before it is discussed.

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

Speeches must be directed to the question under discussion or to be personal explanation or point of order.

A speech by the mover of a motion may not exceed 5 minutes without the consent of the Chair.

Speeches by other Members may not exceed 3 minutes without the consent of the Chair, unless when the Council's annual budget is under discussion, the leader of each political group on the Council may speak for up to 5 minutes or such longer period as the Chair shall allow.

#### **The rules of Executive Question Time**

At a meeting of the Council, other than the Annual meeting, a Member of the Council may ask the Leader, any Executive Member or the chair of a committee any question without notice upon an item of the report of the Executive or a committee when that item is being received or under consideration by the Council.

### **North Devon Council protocol on recording/filming at Council meetings**

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

### **Notes for guidance:**

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **[memberservices@northdevon.gov.uk](mailto:memberservices@northdevon.gov.uk)** or the Communications Team on **01271 388278**, email **[communications@northdevon.gov.uk](mailto:communications@northdevon.gov.uk)**.

North Devon Council offices at Brynsworthy, the full address is: Brynsworthy Environment Centre(BEC), Roundswell, Barnstaple, Devon. EX31 3NP.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side. There should be plenty of spaces.

On arrival at the main entrance, please dial 8253.

