



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 26<sup>TH</sup> SEPTEMBER 2018 AT 6.00 P.M.**

A handwritten signature in black ink, appearing to read 'M. Mansell', with a stylized flourish at the end.

**Chief Executive**

### **AGENDA**

1. Apologies for absence.
2. To approve as correct records the minutes of the meetings held on 25<sup>th</sup> July 2018 and 14<sup>th</sup> August 2018 (attached).
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.
  - (a) To consider the following notice of motion from Councillor Patrinos:

“The departure of the United Kingdom from the European Union is an issue that is beyond the scope of North Devon Council to influence. However, it will certainly have a significant impact on North Devon, but what that impact might be remains unknown. It is the Council’s duty to improve the economic, social, and environmental well being of our area, and this requires us to

understand any significant changes so that we can minimise any adverse impacts, and exploit any opportunities presented. This motion is for North Devon Council to use the provisions of the Sustainable Communities Act to require from the UK government immediate receipt by North Devon Council of all government departmental information and analysis relating to the impacts upon North Devon's communities and businesses of the UK's withdrawal from the European Union, including any information deemed by the government to be confidential."

- (b) To consider the following notice of motion from Councillor Worden

"The impact of Brexit (hard or soft) will affect all North Devon residents. This Council believes that with Brexit fast approaching, it is both sensible and realistic that the potential risks and impact of Brexit on North Devon - good and bad, short term and long term - are fully understood as far as is possible and aired in public together with detailed discussion on how these impacts can be mitigated. To achieve this, this Council undertakes to organize and co-ordinate a public conference/symposium before Christmas in which North Devon's experts and leaders in business, farming, tourism, education, health and social services and other areas are invited to participate, together with elected representatives at all levels. This council is uniquely placed to lead this initiative by immediately setting up a Cross Party Working Group. The findings and conclusions of the symposium would be presented as a report to full Council and other authorities. Furthermore we request that consideration be given to how this Council can assist businesses etc. before and during the transition period."

- (c) To consider the following notice of motion from Councillor Tucker

"It has been brought to my attention that N D D C have been issuing parking tickets where larger vehicle's overhang the lines of the bays. As vehicle's generally are getting larger, I would request Executive to look at our current policy and consider providing more larger size bay's , or re-lining all the existing to accommodate larger vehicle's."

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 6<sup>th</sup> August 2018 and 4<sup>th</sup> September 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 20).
  - (a) **Executive Leader Report.** Report of Leader (attached). (Page 21).
  - (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. (Page 23)
    - (i) **6<sup>th</sup> August 2018**
      - (A) **Minute 44 (b): Review of Fixed Penalty Notice Fines for Environmental Offences.**
      - (B) **Minute 46 (c): Surrender of the Long Leasehold Interest in Gaydon Street Dairy, Barnstaple.**
11. **North Devon+ - Business Support Programme.** Presentation by Stephen Taylor-Jones, Business Advisor.
12. **Adoption of the Hillsborough Charter.** Report by Community Protection Manager (attached). (Pages 25 to 28)
13. **North Devon Council Kerslake Report Recommendations.** Community Protection Manager to report.
14. **North Devon UK Parliamentary/Local Government Polling District and Polling Places Reviews.** Report by Electoral Services Manager (attached). (Pages 29 to 32)
15. **Additional Mandatory Licensing of Houses in Multiple Occupation.** Report by Head of Environmental Health and Housing (attached). (Pages 33 to 40)
16. **The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.** Report by Public Protection Manager (attached). (Pages 41 to 74)
17. **Appointment of Member to the Overview and Scrutiny Committee 2018/19.** To consider the appointment of a Conservative Member to the Overview and Scrutiny Committee for the remainder of the municipal year 2018/19.
18. **Appointments Committee.** To consider the appointment of the Leader of the Liberal Democrat group to the Appointments Committee and the appointment of a Vice-Chair of the Committee for the remainder of the municipal year 2018/19.

19. **Urgent Decisions Taken During the Period 17<sup>th</sup> July 2018 – 13<sup>th</sup> September 2018.** Report by Councillor Brailey, Executive Leader (attached). (Pages 75 to 78)
20. **Report of Chairman of Overview and Scrutiny Committee** (attached). (Pages 79 to 80).
21. **Report by Chairman of Audit Committee** (attached). (Pages 81 to 84).
22. **Minutes of Committees.** (Pages 85 to 127)

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.

<p><b><u>Reminder</u> - Members please return your agenda to the Corporate and Community Services Officer at the end of the meeting</b></p>
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**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) 14<sup>th</sup> August 2018 (Pages x to x)
  - (A) Minute 19: Letter of Representation (NOTE: This recommendation was adopted by Council on 14<sup>th</sup> August 2018)
- (ii) 4<sup>th</sup> September 2018 (Pages x to x)

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

- (i) 14<sup>th</sup> August 2018 (Pages x to x)

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

- (i) 23<sup>rd</sup> August 2018 (Pages x to x)

### **(d) Planning Committee**

- (i) 11<sup>th</sup> July 2018 (Pages x to x)
- (ii) 6<sup>th</sup> August 2018 (Pages x to x)
- (iii) 8<sup>th</sup> August 2018 (Pages x to x)
- (iv) 7<sup>th</sup> September 2018 (Pages x to x)

## **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.

