

NORTH DEVON COUNCIL

Minutes of a meeting of the EXECUTIVE held at the Brynsworthy Environment Centre, Barnstaple on Monday 4th June 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Brailey (Leader)

Councillors Barker, R. Cann, Edgell, Lane, Luggar, Meadlarkin, Moores (minutes 24 to 29) and Yabsley.

Officers:

Chief Executive, Head of Resources, Head of Corporate and Community Services, Head of Operational Services, Service Lead Housing Market Balance, Watersports Development Officer, Lead Officer Licensing, Principal Parks Officer, Project Procurement and Open Space Officer and Senior Corporate and Community Services Officer (BT).

Also Present:

Councillors Biederman, Edmunds, Greenslade and Moore.

18 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jones and Moores.

19 MINUTES

RESOLVED that the minutes of the meeting held on 8th May 2018 (circulated previously) be approved as a correct record and signed by the Chairman.

20 DECLARATIONS OF INTEREST

The following declarations of interest were announced:

Councillor Barker Item 12: Prejudicial interest as a Member of Georgeham Parish Council.

Councillor Brailey Item 12: Prejudicial interest as a Member of Fremington Parish Council.

Councillor R. Cann Item 12: Prejudicial interest as a Member of Fremington Parish Council.

21 ORDER OF AGENDA

RESOLVED that item 10 be considered before item 6 on the agenda.

22 BTEC INTERMEDIATE AWARD IN TRANSPORTING PASSENGERS BY TAXI AND PRIVATE HIRE – CHANGES TO COURSE PROVISION AND NEED TO RE-ASSESS CURRENT POLICY REQUIREMENT

The Executive considered a report by the Lead Officer Licensing (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the BTEC Intermediate Award in Transporting Passengers by Taxi and Private Hire changes to the course provision and need to re-assess the current Hackney Carriage and Private Hire Licensing Policy requirement.

DECISIONS

- (a) That as an interim measure, until a course provider is available (for a period of twelve months) the requirement for Hackney Carriage and Private Hire driver licence applicants to have the required qualification prior to a Hackney Carriage and Private Hire driver licence being issued be suspended;
- (b) That all new drivers covered under the proposed suspension period be required to undertake and pass the course within twelve months;
- (c) That in the event that a driver fails to successfully complete the course within the time limits set out in minute (b) above, they be offered the opportunity to put any exceptional circumstances to the Licensing Committee to show why the licence should be renewed;
- (d) That the Council's Hackney Carriage and Private Hire Licensing Policy, be updated as outlined in Appendix Two of the report;
- (e) That officers provide a monitoring report for Licensing Committee 6 months after the commencement of the proposed suspension.

REASONS FOR DECISIONS

- (a) To react to the notification from 'Skills UK' that it has withdrawn from providing the 'BTEC Introduction to the Role of the Professional Taxi and Private Hire Driver' for Hackney Carriage and Private Hire driver licences.

- (b) To ensure that the required standard of drivers is maintained and particularly that the Council retains a robust policy surrounding the requirement that on grant of a Hackney Carriage/Private Hire driver's licence that individuals are 'fit and proper'.
- (c) Having considered one other provider of the qualification, the suggested Interim measure provides temporary arrangements to give more time for officers to source a provider who can deliver the course in or near to North Devon and allow the applicants to be licensed within a reasonable time.

23 PERFORMANCE AND FINANCIAL MANAGEMENT **QUARTER 4 2017/18**

The Executive considered a report by the Leader and Executive Team (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding Performance and Financial Management for Quarter 4 of 2017/18.

The Head of Resources highlighted the following:

- The revenue budget for 2017/18 was approved at Council on 22 February 2017 at £11.945m and as at 31 December 2017, the Council was reporting a net deficit of £0.012m against the budget.
- As at 31st March 2018, the final outturn position was a budget surplus of £0.504m. The main reasons for the positive variations were due to additional collection fund income for Council Tax and business rates, lower car park costs and additional income, reduced spend on economic development and additional savings from staffing budget. The savings from the staffing budget would be factored into the 2018/19 budget and it was recommended that the reduced spend on economic development be placed in reserves.
- Recycle More service changes had been introduced in June 2017. Garden waste take up had exceeded expectations (17,320 properties) and the results of the pilot area had been positive. The implementation of the recycling changes had resulted in one-off additional costs in 2017/18. Waste and Recycling outturn was £0.373m over budget resulting in original savings targets built into the budget not being achieved. Across the authority a number of savings had been achieved which had offset the additional costs. Update on the WebAspx support and training to complete in-house remodelling and the reduction in the number of rounds required had been included within the 2018/19 budget. This should resolve round inefficiencies and protect the authority ongoing as staff were now equipped with skills to carry out future round remodelling when required.
- Provisions made for one off costs of voluntary redundancy/early retirement of £0.264m and other provision of £0.030m.

- It was recommended that the Revenue budget 2017/18 remaining balance of £0.210m be placed in reserves for Economic Development, Office technology, CCTV, repairs fund and office accommodation.
- General fund balance and earmarked reserves. The actual balance for the general fund reserves at 31st March 2018 was £1.161m (9.7% of the net budget). The recommended level was 5-10%. The balance for earmarked reserves as at 31st March 2018 was £5.647m.
- Capital programme for 2018/21. The total capital programme for 2017/18 to 2020/21 was £10.583m. Council had approved an increase in the capital programme for the procurement of properties for temporary accommodation for homeless. Two business cases had been prepared to acquire two properties which had been circulated to the relevant officers and Members. Offers had been made and accepted and were now subject to the legal process. The actual spend for 2017/18 was detailed in appendix 4 of the report.
- One business case for further capital investment of £0.052m had been submitted for the procurement of a new committee administration system, which had been scored as “high” by the Project Appraisal Group and recommended for funding if resources allow. Additional capital receipts had been secured for 2017/18, therefore the project could be fully funded without the need to increase the borrowing requirement.
- Capital Programme quarter 4 movements as detailed in Appendix 5 of the report.
- Draft Capital Programme for 2018/19 to 2020/21.
- Changes in the timings in the requirements for the production, approval and auditing of the Statement of Accounts for 2017/18.
- Performance information contained within paragraphs 5 to 9 of the report.
- Service Plan Actions and key performance indicators as detailed in Appendix 6 of the report.

In response to questions, the Head of Resources advised the following:

- Income from commercial trade waste had decreased which had resulted in a lower tipping charge. It was anticipated that the trade waste service would grow. The overall income would be higher than the charges incurred for tipping.
- If provisions for voluntary redundancy/early retirement were not made, the costs would have been financed from earmarked reserves.
- The committee administration IT system would replace the existing manual system undertaken by officers which was inefficient. All Members would be issued with a device to access agenda and minutes for meetings. The IT system would increase officer capacity within the Corporate and Community Services team, achieve significant savings in printing and postage and a reduction in paper to achieve environmental benefits. Options for devices for Members were currently being explored. A number of other Local Authorities in the

South West already had this system in place, including Devon County Council.

- The capital receipt for the Bicclescombe Nursery site would be included within the Quarter 2 report. It was anticipated that the sale would be completed during September 2018.
- All Local Authorities were required to produce their statement of accounts by the same deadline. These were then included within the Whole of Government's Accounts which would then be used to aid the Government's decision making for future funding for Local Authorities.
- In relation to general debtors, a proportion of the aged debt was as a result of instalment plans in place for commercial trade waste and environment health and housing deposits.
- In relation to the reserves detailed in Appendix 2 of the report, Council at its meeting on 21st February 2018 had agreed to reduce the number of reserves and for some of the funds to be placed in the collection fund reserve. These movements would take place in quarter one of 2018/19.
- The Council currently borrow £2m externally. The existing capital programme was based on the Council borrowing up to £6m, however the Council only borrowed £2m externally due to internal borrowing for the remainder. The Treasury Outturn report to be presented to the July Executive meeting would set out the current capital financing requirement and borrowing position for the Council.

Concerns were expressed by some Members who were also Devon County Council Members that the committee IT system was quite slow at times and that there be a transition period for Members using the new system with ongoing training and support provided.

The Head of Corporate and Community Services advised that the business case scored high due to the significant savings achieved in terms of printing, postage and staffing as a result of all Members being issued with a device to access agenda and reports for meetings. There maybe some exceptions if a Member had a disability or was unable to access broadband.

In response to a question, Councillor Yabsley provided the Executive with an update on the Local Plan. He advised that the report from the Inspector had been delayed due to the Inspector being on holiday and being involved in an Inquiry at Plymouth. He expressed the Council's frustrations in the delay of receiving the Inspector's report. A timeframe for the adoption of the Local Plan had not been determined. The Chief Planning Officer had provided the Planning Committee with reassurance that significant weight could now be given to the emerging Local Plan.

Councillor Edmunds advised that Councillors previously received a report detailing the complaints that the Council had received in relation to their Wards and the action that had been taken. This had stopped due to a change in the IT system two years previously and since then Councillors had not received this information.

DECISIONS

- (a) That the Head of Resources and his team be thanked for the positive Quarter 4 Financial Outturn report, which put the Council in a good financial position for the following year;
- (b) That the actions being taken to ensure that performance was at the desired level be noted;
- (c) That the contributions to/from earmarked reserves be approved as detailed in paragraph 4.2 of the report;
- (d) That the movements on the Executive Contingency Reserve as detailed in paragraph 4.3 be noted;
- (e) That funds be released for the capital schemes listed in paragraph 4.4.14 of the report;
- (f) That the sections dealing with Treasury Management in paragraph 4.5, and Debt Management paragraphs 4.6 and 4.7 be noted;

RECOMMENDED

- (g) That the variations to the Capital Programme 2018/19 to 2020/21 as detailed in paragraph 4.4.9 be approved.

REASONS FOR DECISIONS/RECOMMENDATION

- (a) To ensure that appropriate action is taken to allow the council to meet its objectives.
- (b) To inform the Executive of actual results compared to the approved Corporate Plan, as well as progress in delivering service within the revenue budget and Capital Programme

24 RECYCLE MORE TRIAL

Executive received a presentation by the Head of Operational Services regarding the results of the Recycle More trial.

The Head of Operational Services highlighted the following:

- Purpose of the trial which was to trial a new recycling and waste collection service to 3,400 households with unlimited recycling and a 3 weekly residual waste collection service; to influence how our customers manage their waste and to increase the amount that they recycle each week; to reduce the amount of landfill waste that our

customers produce by continuous and targeted education and communication.

- The areas that the trial covered.
- How the trial area was selected.
- Communication and stakeholder engagement that had been undertaken.
- Photographs of areas pre trial and during the trial.
- Pre-trial recycling performance whereby 77% of waste was residual and 23% was recycled.
- Statistics of average weekly total waste arising in the trial area during the first six months of the trial.
- Overall performance of the trial area from June to November 2017 (49% recycling and 51% residual waste)
- Performance for each area (Forches, Bratton Fleming, Stoke Rivers, Landkey and Whiddon Valley) pre trial and during the trial from June to November 2017. The largest increase in recycling from pre trial to during the trial was 38% in the Whiddon Valley area.

Councillor Moores arrived.

- A customer satisfaction survey had been sent to all properties within the trial area. A total of 319 surveys had been returned. A full copy of the survey results including customer comments would be sent to Members. 75.2% were satisfied with the trial and 3 weekly residual collection. 79.9% stated that it was very easy to take part in the trial. 88.7% felt that they were well informed about the trial before it started. 48.6% felt there was enough space in the recycling box for a weekly collection. Alternative reusable sacks have been purchased and would be trialled as an alternative to provide extra storage. 42.6% felt that there was enough room in their box most of the time and only 7.2% felt that the box was not large enough. 83.4% said that they had no problems storing the waste and recycling containers.
- Referring to the 3 weekly residual collection, 51.4% of bins were only three quarters full at the time of collection. 43.6% were full, however 17.5% dispose of nappies which would create additional waste. An additional bin could be made available to those residents that met the criteria. 70.8% said that they had no problems storing residual waste for 3 weeks.
- The introduction of an unlimited recycling service had significantly increased the amount of waste that our customers recycled. A full report detailing all options for future service delivery would be presented to the Executive in due course.

Councillor Greenslade, in his capacity as Chairman of Overview and Scrutiny Committee requested that a presentation on the outcomes of the Recycle More trial be given to the Overview and Scrutiny Committee.

In response to questions, the Head of Operational Services advised:

- That the number of Recycle More advisors had been reduced from five to one. East Devon District Council had experienced a similar drop in the recycling rates during their trial. A paper copy of the survey had been issued to all residents within the trial area, but were encouraged to complete it online.
- The historical data for tonnage collected in all areas was available.
- There were no current plans to increase the types of materials collected from the commercial trade waste service.
- Fleet resilience was currently being reviewed and the types of spare vehicles required.
- There was a need to invest in new plant machinery as the current system was at capacity.
- The circumstances relating to the broken down recycling vehicle that had occurred over the previous weekend.

Councillor R. Cann advised that there were currently significant problems with the waste and recycling service in other parts of the district which needed to be addressed first prior to the changes in the service being rolled out in to other areas. The trial had been successful and it would be recommended that there was a phased approach to the roll out.

DECISION

That the findings of the Recycle More trial be noted and welcomed.

REASON FOR DECISION

To inform the Executive of the outcomes of the Recycle More trial and results of the customer satisfaction survey.

25 COMMUNITY HOUSING FUND – COMMUNITY AFFORDABLE HOUSING GRANT AND DEVON RURAL HOUSING PARTNERSHIP

The Executive considered a report by the Service Lead Housing Market Balance (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the allocation of the Community Housing Fund to Community Affordable Housing grants and the Devon Rural Housing Partnership.

The Service Lead Housing Market Balance highlighted the following:

- In June 2017 Executive approved the allocation of £21,050 to Devon Rural Housing Partnership (DRHP) for additional hours for 1 year and £43,000 over 4 years for Wessex. £30,000 of the Fund was allocated to a Community Affordable Housing Grant (£6k per parish) to support the set-up and legal costs of 5 initial parishes (Mortehoe, Lynton and

Lynmouth, Parracombe, Combe Martin and Chittlehampton). At that time no funding was put aside for feasibility work nor money to progress schemes to planning application stage. This was due to funding being available from the Department for Communities and Local Government. It had now been announced that the Community led Buildings grant programme from Locality had closed.

- A new tranche of Community Housing Fund had been announced in November 2017 but the detail of how the fund would work had been delayed. It had been suggested that the Community Land Trusts (CLTs) may be able to bid directly to Homes England for such funding but this had not been confirmed.
- To safeguard against the likelihood of a funding gap, it was recommended that further funding be allocated for feasibility grants and planning grants to Mortehoe Parish Council and Lynton Development Trust as they were at a progressed stage”.
- It was recommended that a condition was included stating that “if the Parish/CLT does not require the money before the next round of Community Housing Fund then the money will be put back into the general Community Housing Fund earmarked reserve and the CLT will be requested to bid for the funding themselves at a later stage.
- The additional hours for the Devon Rural Housing Partnership (DRHP) sourced by the £21,050 from the original allocation of Community Housing fund monies would come to an end at the end of June 2018. It was recommended that this work continues as without the additional capacity and established rural links that DRHP provide it was unlikely that the CLT work would be furthered.

In response to questions, the Service Lead Housing Market Balance advised:

- That a housing needs survey was carried out as the first stage of the process. A number of the sites identified were at the initial stages and the number of units had not been confirmed.
- North Molton Parish Council had made contact requesting support from the DRHP in undertaking a housing needs survey.

DECISIONS

- (a) That £135,000 from the Community Housing Fund for Mortehoe Parish Council and Lynton Development Trust be approved to fund feasibility work and to progress community affordable housing schemes up to planning permission;
- (b) That £21,050 be approved for 2 days work per week from Devon Rural Housing Partnership in addition to their baseline partnership agreement;
- (c) That the spend be funded from the Community Housing Fund earmarked reserve;

- (d) That power be delegated to Head of Corporate and Community Services to draw up a funding agreement to cover the extended funding and that payment be subject to the prior signing of that agreement.

REASONS FOR DECISIONS

- (a) To allocate the Fund to achieve its stated aims “to enable capital investment, technical support and revenue to be provided to make more schemes viable and significantly increase community groups’ current delivery pipelines”.
- (b) To invest in communities and increase rural affordable housing stock.
- (c) To continue the level of progress made on the current Community Housing Fund parishes and generate a continued pipeline of site for future tranches of Community Housing Fund.

26 PLASTIC FREE NORTH DEVON

The Executive considered a report by the Watersports Development Officer (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the Plastic Free North Devon Consortium.

Councillor R. Cann provided the Executive with an update on the work of the Consortium and work that had been undertaken by the Council to help reduce plastic litter and single use plastic across North Devon and in both rural and costal locations. He suggested that an advertising campaign be placed on the side of Council vehicles to promote the plastic free campaign. Martin Dorey (2 Minute Beach Clean) had been invited to give a presentation at the next meeting of Council in July 2018.

The Head of Resources confirmed that the Council had placed signs on vehicles for other campaigns in the past.

The Watersports Development Officer highlighted the following:

- That the Economic Development Officer from Torridge District Council had expressed an interest in becoming a member of the Consortium.
- A strategic framework action plan was currently being prepared, which once approved would allow the Council to apply for external funding.

DECISIONS

- (a) That the Governance arrangements for the project be noted and supported;

- (b) That the consortium and the work it is trying to deliver be supported;
- (c) That consideration be given to an advertising campaign being placed on the side of Council vehicles to promote the Plastic free campaign.

REASONS FOR DECISIONS

- (a) North Devon is a popular tourism destination and benefits from high environmental accreditations recognition. Plastic litter is a global problem which North Devon is not adverse to. Working together by sharing resources, knowledge and expertise will help make a significant difference. Delivering the action plan will provide a joined-up working approach which will lead to positive results. Timescale on deliverable are as of now and over the next 3 years.
- (b) To assist in the promotion of the Council's Plastic Free Campaign to help reduce plastic litter and single use plastic across North Devon.

27 APPROVAL AND RELEASE OF SECTION 106 FUNDS – PILTON PARK AREA AND PRINCESS AVENUE PLAY AREA

The Executive considered a report by the Principal Parks Officer (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the allocation of section 106 public open space funds to two projects in Barnstaple and Ilfracombe.

DECISIONS

- (a) That £77,377.18 be allocated towards the following schemes:
 - (i) Pilton Park Play Area, Barnstaple £32,341.51
 - (ii) Princess Avenue Play Area, Ilfracombe £45,035.67

RECOMMENDED

- (b) That the Capital Programme be varied by £77,377.18 as detailed in (a) above, and that funds be released, subject to Funding Agreements upon such terms and conditions as may be agreed by the Head of Corporate and Community Services.

REASONS FOR DECISION/RECOMMENDATION

- (a) To ensure that appropriate funding is transferred into and released from the capital programme.
- (b) To improve public open space facilities for children and young people within the community.

28 APPROVAL AND RELEASE OF SECTION 106 PUBLIC OPEN FUNDS (BARNSTAPLE, CROYDE AND FREMINGTON)

The Executive considered a report by the Project Procurement and Open Space Officer (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the allocation of section 106 public open space funds to three community and parish related projects in the District.

Councillor Barker declared a prejudicial interest as a Member of Georgeham Parish Council in relation to the Croyde Play area project and left the room during the consideration thereof.

DECISIONS

- (a) That £9,015.12 of S106 Public Open Space Funds be allocated to Croyde Parish Council towards the cost of replacing Croyde Play Area.

Councillor Barker returned to the room.

Councillors Brailey and R. Cann declared prejudicial interests as Members of Fremington Parish Council in relation to Beechfield Centre, Fremington project and left the room during the consideration thereof.

Councillor Barker took the Chair.

Councillor Biederman also declared a prejudicial interest as a Member of Fremington Parish Council in relation to Beechfield Centre, Fremington project.

The Chair gave Councillor Biederman her consent to remain in the room during the consideration of this project.

- (b) That £63,312 of S106 Public Open Space Funds be allocated to North Devon Homes, towards the cost of play equipment at Gorwell Play Area;
- (c) That £12,300.30 of S106 Public Open Space Funds be allocated to Fremington Parish Council, towards the cost of replacing Beechfield Centre, Fremington;

RECOMMENDED

- (d) That the capital programme be varied by £84,627.42 and that funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed Head of Corporate and Community Services.

REASONS FOR DECISIONS/RECOMMENDATION

- (a) To allocate funds in line with the requirement of S106 agreements.
- (b) To protect and enhance public open space, including land and buildings.

Councillors Brailey and R. Cann returned to the room.

29 NORTH DEVON FISHERMAN'S ASSOCIATION – REQUEST FOR FUNDING FOR THE PURCHASE OF NEW LIFEJACKETS WITH A PERSONAL LOCATOR

The Chief Executive advised the Executive of a letter from the North Devon Fisherman's Association (NDFA) which had been received from Peter Heaton-Jones MP regarding a request for funding for the purchase of new lifejackets with a personal locator. The NDFA had advised that it would be applying for European funding for £35,000 and was required to raise £5,000 from other sources. He had checked the requirements of the European Fisherman fund which had stated that between 50- 60% funded had to be secured from the private sector. He had requested further information from the NDFA regarding sources secured from the private sector, however no response had been received to date. The NDFA had advised that Torridge District Council had agreed to provide £1900 in funding. The item had been discussed at the last meeting of the Ilfracombe Harbour Board whereby it had agreed to contribute £1500 from its budget and requested the Executive to provide £500 to make the total contribution £2,000. He has not yet received satisfactory responses from the NDFA on how the process would be managed and that the application process to access the fund was in place.

DECISION

That subject to the Chief Executive receiving satisfactory answers in relation to how the NDFA would manage the process and the application process to access the European funding being in place that £500 be awarded from the Executive Contingency Reserve for the purchase of new lifejackets with personal locators.

REASONS FOR DECISION

To ensure that the Chief Executive received satisfactory assurances from the NDFA prior to any funded being awarded by the Council.

Chairman

The meeting ended at 12.07 p.m.

NOTE: The above decisions shall not take effect until the five clear working days have elapsed from the date of publication: 6th June 2018.