



## Public Document Pack

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

K. Miles  
Chief Executive.

To: All Members of the Council  
and Chief Officers

**NOTE: PLEASE NOTE THAT PRAYERS WILL BE SAID AT 6.25 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 in the Crematorium Meeting Room - North Devon Crematorium on **WEDNESDAY, 28TH SEPTEMBER, 2022 at 6.30 pm.**

A handwritten signature in black ink, appearing to read 'K. Miles', is written over a faint horizontal line.

**Chief Executive**

### **AGENDA**

17. Minutes of Committees

Council is recommended to note the schedule of Committee minutes and approve recommendations as listed below:

- (f) Policy Development Committee (Pages 5 - 14)
  - (i) 8 September 2022 (attached)

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

20.09.22

## **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 Question Time**

At a meeting of the Council, other than the Annual meeting, a Member of the Council may ask the Leader or the chair of a committee any question without notice upon an item of the report of 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** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

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

Sat Nav postcode is EX31 3NS.

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.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



**NORTH DEVON COUNCIL**

Minutes of a meeting of Policy Development Committee held at Barum Room - Brynsworthy on Thursday, 8th September, 2022 at 10.00 am

PRESENT: Members:

Councillor D. Spear (Chair)

Councillors Bulled, Hunt, Jenkins, Mackie, Roome and Walker

Officers:

Director of Resources and Deputy Chief Executive and Head of Housing, Planning and Health.

**61. APOLOGIES**

There were no apologies for absence recorded at the time of the meeting. However, apologies had been given prior to the meeting from Councillors Campbell and York.

**62. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 14TH JULY 2022 (ATTACHED).**

RESOLVED, that the minutes of the meeting held on 14<sup>th</sup> July 2022 (circulated previously) be approved as a correct record and signed by the Chair subject to the abstention of Councillor Hunt who was not present at the meeting.

**63. DECLARATIONS OF INTEREST.**

There were no declarations of interest announced.

**64. COASTAL DEPRIVATION: TO DISCUSS ISSUES CURRENTLY BEING FACED IN COASTAL COMMUNITIES.**

The Committee received a presentation from the Head of Planning, Housing and Health regarding Coastal Deprivation to discuss issues currently being faced in coastal communities.

The Head of Planning, Housing and Health highlighted the following points to the Committee:

- The key findings identified in the CMO's Annual Report 2021, which were:
  - A higher burden of disease.

- Lower life expectancy, healthy life expectancy and disability-free expectancy.
  - Deprivation.
  - Demographics and migration.
  - Health services.
  - Economy and employment.
  - Education.
  - Housing (HMO's, coastal guest houses/hotels, exempt supported accommodation).
- How the situation is mirrored in North Devon from the results of the Coastal Health Needs' Assessment 2016 together with insights from public health data:
    - The data had been categorised under the headings of worst outcomes to best outcomes and the comparison of Ilfracombe Central and the Monkleigh area indicated a 15 year difference in life expectancy in favour of the Monkleigh area, which was 90 years versus 75 years in central Ilfracombe.
    - The trend went the same way for health life expectancy, which indicated an 11 year difference in favour of the Croyde area, which was 70 years versus 59 years in Ilfracombe.
- The situation in North Devon and the number of exempt supported accommodation:
    - Total number of units for Exempt Accommodation in Ilfracombe – 69, which included:
      - 13 units for alcohol/drug recovery.
      - 17 units for young persons.
      - 26 units for learning disabilities.
      - 18 units for mental health.
    - There were a total of 225 units for Exempt Accommodation in North Devon.
- Recommendations identified in the CMO's report, which were particularly relevant to NDC:
    - Maximise the economic opportunities for coastal communities, with the Council's response to date as follows:
      - Corporate Priority Programme of Action – Regeneration and Economic Growth.
      - Ilfracombe Regeneration Board, Devon County Council (DCC) was funding the development of an urban renewal scheme/action plan.

- Water Sports Centre - £2.3m investment (eight new jobs, assisting 100 businesses, 23 temporary construction jobs and a further 24 indirect jobs/opportunities/apprenticeships).
- Recommendations identified in the CMO's report, which were particularly relevant to North Devon Council... continued:
  - Levelling up (Round 2): £10.1m investment proposal submitted to Gov. to revitalise the seafront and cultural offer in Ilfracombe
  - World Surf Reserve.
  - Recently published Cultural Strategies for Barnstaple and Ilfracombe.
  - Heart of the SW LEP coastal productivity plan.
  - Planning for an ageing population and mitigating a potential deficit in social care and health care workers.

The Council's response to date was as follows:

- Review of Local Plan.
- North Devon Futures.
- Better collaboration across the wider system.

The Council's response to date was as follows:

- One Northern Devon priority programme of action to improve population health, of which a workshop in relation to output from reducing health inequalities' workshop held in July 2022.
- Private rented sector accommodation.

The Council's response to date was as follows:

- Introduce new risk assessment methodology to prioritise pro action inspections.
- Commission the provision of housing support to vulnerable tenants as part of their regulatory visits, if resources allowed.
- Implement a new operating model to maximise the benefits which can be provided to north Devon residents through ECO4.
- Council submission to Government: call for evidence on the regulation of holiday lets (Strategy & Resources, 5th September, 2022).
- For consideration:
  - Introduction of policies to 'regulate migration' to places like Ilfracombe.
  - Approach to supported exempt accommodation (track progress of the Supported Housing Regulatory Overnight Bill).

- Participate/contribute to Gov's consultation, launched on the 2nd September, entitled. *"A decent home's standard in the private rented sector"*
- Recommendations outside of those referred to in the CMO's report:
  - A recommendation that a Coastal Officer Working Group be set up consisting of a cross-discipline Group internally to ensure that the Council was co-ordinating activities to support coastal communities to include the lead member for Coastal Communities.

Following the presentation, the Head of Planning, Housing and Health answered questions in relation to the following:

- The two different types of migration, which consisted of migration in to the community from other areas and migration within the community. There was still a level of migration within the areas of Barnstaple Central and Ilfracombe with anecdotal evidence that large properties were being purchased in coastal communities and converted into Houses of Multiple Occupation (HMOs).
- There was a significant "in migration" to North Devon from outside of the district.
- There had been a recent loss of rented accommodation as landlords of private rented properties convert them to short term accommodation, which generated a better income.
- There was an enormous challenge to source accommodation to house people within the North Devon area.
- There was nothing inherently wrong with shared accommodation, provided it met the required standards and was appropriately managed.
- There was now less reliance on tourism in Ilfracombe with a number of key employers, and it was a priority to see these businesses expand and prosper by improving housing supply.
- There were deficits in the healthcare and the care sector. However, the management of this was not within the remit of North Devon Council.
- In terms of raising awareness of health and social care in North Devon, the Council could request data from the local commissioners and make a representation to the government regarding its findings.
- Deprivation was not just being felt in coastal areas but also rurally and in all communities in the North Devon area.
- There are a lack of regulations specific to short term holiday lets and the Council had challenged the Government to ensure a level playing field for all types of accommodation.
- Promoting economic prosperity of local communities was essential.
- There was currently the ability for private rented landlords to transfer their property to short term holiday let without any consultation or invention required from the planning regime. A representation had been made to Government on this.
- The older generation fairs less well in terms of their general wellbeing and wealth in coastal communities, and this was in part linked with the migration of



people to the North Devon area who were asset rich but cash poor and this impacted their ability to maintain their properties.

- The Local Plan was a key document for the Council and it was absolutely essential to get it right.

The Director of Resources and Deputy Chief Executive advised that the Strategy and Resources Committee had made a call for evidence to the government in relation to the statistics for second homes and holiday lets within the North Devon area. He added that the Council was in the process of preparing a report to government in a call for evidence with regards to the action being taken.

He explained that there were six options presented to the Council from the Government in regards to the development of a suitable licensing regime to ensure that regular checks were made for all establishments. Which would then see a requirement for such establishments to pay Business Rates and other contributions already made by other businesses.

RECOMMENDED, that a representation be made to government regarding the commissioning of Health and Social Care in North Devon verses nationally and what could be done to remedy the situation.

RESOLVED, that a Coastal Officer Working Group be set up of a cross-discipline group internally to ensure that the Council were co-ordinating activities to support coastal communities and include the lead member for Coastal Communities.

## **65. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2022-23.**

The Committee considered a report by the Director of Resources and Deputy Chief Executive (circulated previously) regarding the Performance and Financial Management for Quarter 1 of 2022/23 together with Minute Extract of Strategy and Resources on 5th September 2022 (circulated previously).

The Director of Resources and Deputy Chief Executive highlighted the following:

- The revenue budget for 2022/23 was approved at Council on 23rd February 2022 at £13,721,640.
- As at 30th June 2022, the latest forecast net budget was £13,718,640, which produced a forecast budget surplus of £3,000. Details were shown in "Appendix A – Variations in the Revenue Budget".
- The original budget for 2022/23 included a forecast to achieve £250,000 worth of salary vacancy savings. The current position anticipated this would be achieved.
- Temporary Accommodation was under additional cost pressure due to the increase in homelessness cases; the in-year impact of this £120,000 increase in costs had been mitigated by a contribution from the Homelessness earmarked reserve. Whilst this had alleviated the pressure this year it meant that this amount from the homelessness reserve couldn't be utilised for other homelessness initiatives.

- Further to the report to Strategy and Resources Committee on 4th July which detailed the in-year inflationary pressures that the Council were likely to experience this year, most of these were still in line with the July forecast except the potential additional employee costs from the staff pay award being negotiated which was now being predicted at a higher cost following the National Employers pay offer to the Unions.
- The largest variance within Appendix A was the £804,000 National pay award potential additional staffing costs over and above the £280,000 already built into the base budget; this estimate was based on the offered pay award put forward to the Unions by the National Employers pay review body for the 2022-23 year. The pay offer put forward was based upon £1,925 per full time equivalent employee.
- Other inflationary pressures built into the forecast included additional fuel costs across the fleet of £198,000 and additional energy costs of £63,000. To date the Council had not included any further general supplies and services inflationary increases as it would endeavour to control and manage those in year through the existing budgetary framework.
- The inflationary cost pressures mentioned above we were looking to fund in-year through utilisation of the budget management reserve; this reserve, which was set aside to deal with fluctuations within the budget and built up over the last couple of financial years, had provided the Council with the protection needed in 2022-23. Moving forwards to future years 2023-24 onwards, the Council wouldn't have the benefit of this protection and the inflationary pressures being experienced this year would continue onto the future year's budget gap previously highlighted to Members.
- The other significant in-year cost pressures that hadn't been included in the current figures yet was the award of costs claim in relation to the Yelland planning appeal; once this amount was known a report would be brought to Members detailing the award of costs amount and setting out how the Council would be funding this cost.
- As at 31st March 2022 the Collection Fund reserve balance was £5,722,000. This earmarked reserve was created to deal with the timing impacts of the Collection Fund (Business Rates), which ensured the revenue budget was not unduly affected in the year the taxes were collected. Collection Fund deficits/surpluses were reversed out to bring the revenue account back to the budgeted figure for the year; the deficits/surpluses were recovered/distributed in the following financial years. This reserve includes a £4,523,000 balance that would be utilised in 2022/23 and 2023/24 to mitigate timing differences of business rate reliefs awarded in 2021/22 that from an accounting perspective impact over the next two financial years; thus leaving the fund reserve with a residual balance of £1,200,000 protection against future volatility
- At the 30th June 2022 total external borrowing was £3,000,000. The timing of any future borrowing was dependent on how the authority manages its treasury activity and due to current low interest rates and reduced returns on investments it was prudent for the Council to 'internally borrow' and use those monies to fund the Capital Programme.
- The recommended level of general fund balance was 5%-10% of the council's net revenue budget £686,082 to £1,372,164. The forecast general fund reserve at 31 March 2023 was £1,211,000, which was a level of 8.8%.

- The 2022/23 Capital Programme was attached as “Appendix D – Capital Programme 2022/23”
- The Budget and Financial Framework report to Full Council 23rd Feb 2022 outlined the Capital Programme for the 2022/23 financial year of £15,833,023. Project underspend of £2,031,062 were bought forward from 2021/22 year and further variations of £1,655,843 were approved as part of the performance and financial management report to Strategy and Resources Committee, to produce a revised 2022/23 Capital Programme of £19,519,928.
- Overall variations of (£782,563) were proposed to the 2022/23 Capital Programme as set out in section 4.4.3
  
- The revised Capital Programme for 2022/23 taking into account the budget variations was £18,737,365.
- Actual spend on the 2022/23 Capital Programme as at 30th June 2022 was £1,904,356.
- The overall Capital Programme for 2022/23 to 2024/25 was £27,012,673 and is broken down as follows:
  - 2022/23 £18,737,365.
  - 2023/24 £7,563,434.
  - 2024/25 £711,874.
  
- The Programme of £27,012,673 was funded by Capital Receipts / Borrowing (£11,118,848), External Grants and Contributions (£13,614,464) and Reserves (£2,279,361).
- The timing and realisation of capital receipts could be impacted by events beyond the control of the Council and the Council had been able to manage cash flows for projects through internal borrowing.
- The Council also had authority to borrow from the Public Works Loan Board (PWLB) as outlined in the Treasury Management Annual Investment Strategy and the Council currently had external borrowing of £3,000,000.
- Release of Funds – 2022/23 Capital Programme.
  - There were none for that quarter.
  
- Treasury Management - Bank Rate increased to 1.00% on 5th May 2022 and again to 1.25% on 16th June 2022.
- The average 7 day LIBID (inter-bank bid rate), the Council's benchmark rate at 30th June 2022, was 1.18%.
- The return earned on the Council's investments was 0.34%. (Previous 0.05%).
- £17,782 investment interest was earned during the quarter. (2022/23 interest receivable budget was £35,000).
- As at 30th June 2022, the Council had total external borrowing of £3,000,000.
- £15,046 interest was paid at an average rate of 2.01% on PWLB loans during the quarter. 2022/23 interest payable budget was £345,000.
- The outstanding amounts of Council Tax and Business Rates as at 30<sup>th</sup> June 2022 were set out in the table on pages 21 and 22 of the report.

In response to questions, the Director of Resources and Deputy Chief Executive advised the following:

- The majority of empty buildings around Barnstaple were privately owned and the Council did engage with the owners of empty properties to try and bring them back into use. He added that the Council was also working towards purchasing more properties for temporary accommodation to build upon their small portfolio and that they currently owned six properties, which were utilised for this purpose.
- The Council had a procurement process to adhere to when commissioning work as part of a disabled facilities grant and were looking at streamlining the process from end to end to attract more contractors and make the process as efficient as possible.

RESOLVED that the decisions and recommendations of the Strategy and Resources Committee be endorsed.

The Committee thanked the Head of Resources and Deputy Chief Executive for his report.

**66. NOTICE OF MOTION - FULL COUNCIL HELD 2022.07.20 - COST OF LIVING CRISIS AND THE BENEFITS AVAILABLE TO THE PUBLIC**

The Committee considered a Notice of Motion from Councillor Topham to Full Council on 20<sup>th</sup> July 2022 in relation to the cost of living crisis and the benefits available to the public (circulated previously) together with minute extract of Full Council held on 20<sup>th</sup> July 2022 (circulated previously).

RESOLVED:

- (a) That the report be noted and that the Committee await further outcomes prior to proceeding; and
- (b) That benefits training be provided for all Councillors to enable Councillors to signpost ward constituents appropriately and that the types of support available be considered by the Policy Development Committee.

**67. WORK PROGRAMME 2022/23.**

RESOLVED, that the work programme for the forthcoming year 2022/23 be developed.

The Corporate and Community Services Officer advised that a special meeting was due to be arranged in October 2022 to meet with representatives from South West Water.

As part of initial discussions, South West Water had requested that any questions be submitted at least two weeks prior to the meeting and requested a steer from the Committee as to the kind of questions that might be asked at the meeting.

RESOLVED, that the Corporate and Community Services Officer send an email to the members of the Committee to obtain a steer regarding any questions they would like to ask to ensure that a representative from the most appropriate business area attends the meeting.

Chair

The meeting ended at 11.22 am

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

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