



## 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 Barum Room - Brynsworthy on **WEDNESDAY, 22ND FEBRUARY, 2023** at **6.30 pm.**

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

**Chief Executive**

### **AGENDA**

- 12 (a) Report of the Policy Development Committee (Pages 5 - 10)  
To receive the report of the Policy Development Committee held on 9 February 2023 (attached).

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

14.02.23

## **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 Brynsworthy, the full address is:  
Brynsworthy 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

### POLICY DEVELOPMENT COMMITTEE: 9<sup>TH</sup> FEBRUARY 2023

#### MINUTE EXTRACT OF THE STRATEGY AND RESOURCES COMMITTEE HELD ON 6<sup>TH</sup> FEBRUARY 2023 IN RESPECT OF ITEM 6 ON THE POLICY DEVELOPMENT COMMITTEE AGENDA

#### 91 PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 3 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 3 of 2022/23 together with Minute Extract of Strategy and Resources on 6th February 2023 (circulated previously).

The Finance Manager highlighted the following:

- The revenue budget for 2022/23 was approved at Council on 23rd February 2022 at £13,721,640.
- As at 31st December 2022, the latest forecast net budget was £13,702,640, which produces a forecast budget surplus of £19,000. 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 forecasts that the Council would achieve £452,000. The additional £202,000 was due to timings of filling the capacity building posts throughout the year which were approved as part of the original 2022/23 budget.
- Temporary Accommodation was under additional cost pressure due to the increase in homelessness cases; the in-year impact of this £250,000 forecast increase in costs had been mitigated by utilising balances from the Homelessness earmarked reserve. Whilst this had alleviated the pressure this year, it did not mean this one-off amount from the homelessness reserve couldn't be utilised for other homelessness initiatives.
- Within the joint Building Control partnership with Mid Devon District Council there had been a decline in income and due to challenges in recruiting to vacant posts, an increase in the use of agency staffing costs which had negatively impacted the trading account. Full Council had recently approved an 8% increase in the Building Control fees, this additional income would cover the additional staffing costs moving forwards and improve our ability to fill vacant posts. The Council was now forecasting a net deficit of £33,000, this included utilising a £50,000 contribution from the Building Control reserve built up through prior year trading surpluses.
- The largest variance within Appendix A was the £804,000 National pay award additional staffing costs over and above the £280,000 already built into the base budget; this 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 award was accepted by the Union and its members and was backdated to

1st April 2022 and paid to staff in December 2022. The pay award was based upon £1,925 per full time equivalent employee.

- Other inflationary pressures built into the forecast included additional fuel costs across our fleet of £104,000 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 these in year through the existing budgetary framework.
- 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 included 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; and an in-year £400,000 transfer into the budget management reserve to replenish this reserve balance to help mitigate future budget fluctuations, thus leaving the fund reserve with a residual balance of £800,000 protection against future volatility. This level of reserve protected the Council against a 40% share of a £2million overall Business Rates income volatility.
- At the 31st December 2022 total external borrowing was £3,000,000. The timing of any future borrowing was dependent on how the authority managed its treasury activity and due to previously unprecedented 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. This had resulted in a forecast £275,000 reduction in loan interest payments in 2022/23 and it is proposed to place this amount into a new Treasury Management reserve to mitigate against higher interest rates as the Council moved into the 2023/24 financial year.
- Appendix B – Movement in reserves and Balances” details the movements to and from earmarked reserves in 2022/23.
- 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 was brought forward from 2021/22 year and further variations of (£5,051,311) 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 £12,812,774.
- Overall variations of (£3,307,261) were proposed to the 2022/23 Capital Programme as follows:
  - Ilfracombe Water Sports Centre, £43,600 for Tarmac and Concrete Works. Funded from earmarked water sports centre reserve.
  - UK Shared Prosperity Fund, £55,951 part of a larger, mostly revenue scheme, £1.2 million in total across 3 financial years.
  - Self-Build Housing Project, (£500,000) for slip spend and funding to 2023/24.

- Landmark Theatre, Fire Alarm, (£150,000) for slip spend and funding to 2023/24.
- Future High Street Fund, (£1,993,182) for slip spend and funding to 2023/24.
- Disabled Facility Grants, (£126,390) slip spend and funding to 2023/24.
- Eco Top-Up Grants, (£312,240) to bring forward spend and funding from 2023/24.
- Provision of Temporary Accommodation, (£105,000) for slip spend and funding to 2023/24.
- Green Lanes Shopping Centre, (£200,000) for slip spend and funding to 2023/24.
- Barnstaple Bus station refurbishment, (£20,000) for slip spend and funding to 2023/24.
- Other variations to the 2023/24 Capital Programme, £161,478, broken down:
  - UK Shared Prosperity Fund, £41,478 part of a larger, mostly revenue scheme, £1.2 million in total across 3 financial years.
  - Planned Maintenance Seven Brethren, (£52,041) virement to land release fund scheme.
  - Land Release Fund, £52,041, virement from Planned Maintenance Seven Brethren.
  - Land Release Fund, £120,000, anticipated Capital receipt and increase in budget, to enable £2 million commitment in 2023/24.
- Other variations to the 2024/25 Capital Programme, £2,826,970, broken down:
  - Material Recovery and works unit re-fit, £2,659,000, went to Full Council in November 2022, (funds not yet released).
  - UK Shared Prosperity Fund, £167,970, part of a larger, mostly revenue scheme, £1.2 million in total across 3 financial years.
- The revised Capital Programme for 2022/23 taking into account the budget variations above was £9,505,513.
- The revised Capital Programme for 2023/24 taking into account the budget variations above was £18,335,773.
- The revised Capital Programme for 2024/25 taking into account the budget variations above was £4,299,344.
- Actual spend on the 2022/23 Capital Programme as at 31st December 2022 was £4,722,984.
- The overall Capital Programme for 2022/23 to 2025/26 is £32,210,630 and was broken down as follows:
  - 2022/23 £9,505,513.
  - 2023/24 £18,335,773.
  - 2024/25 £4,299,344.
  - 2025/26 £70,000.

# Agenda Item 12a

- The Programme of £32,210,630 was funded by Capital Receipts / Borrowing (£13,898,824), External Grants and Contributions (£15,524,560) and Reserves (£2,787,246).
- Release of Funds – Capital Programme:
  - Ilfracombe Water Sports Centre - £43,600.
  - UK Shared Prosperity Fund - £265,399.
  - Land Release Fund - £172,041.
- Treasury Management - Bank Rate increased to 3.00% on 3rd November 2022 and again to 3.50% on 15th December 2022.
- The Council's new benchmark rate 7 day SONIA (Sterling Overnight Index Average) at 31st December 2022, was 1.94%.
- The return earned on the Council's investments was 1.12%. (Previous 0.04%).
- £171,189 investment interest was earned during the three quarter period. (2022/23 interest receivable budget was £35,000).
- As at 31st December 2022, the Council had total external borrowing of £3,000,000.
- £45,469 interest was paid at an average rate of 2.01% on PWLB loans during the three quarter period. (2022/23 interest payable budget was £345,000).
- The major areas of credit income were Council Tax, Business Rates, Housing Benefit overpayment Recoveries and General Debtors.
- As a billing authority, the Council annually raised the bills for Council Tax. (£69,000,000) and Business Rates (£32,000,000).
- Collection rates were controlled through monitoring:
  - The level of write offs.
  - Levels of previous years' outstanding debt.
  - The level of income collection in the year against the annual sums due to be collected.
- The Council's budget was based on the assumptions that eventually 97% of sums due would be collected. To ensure this level was achieved, year on year levels of write offs approved were controlled against a ceiling of 3% of annual debt.
- The outstanding amounts as at 31st December 2022 were set out below (corrections verbally reported by the Finance Manager):

	Council Tax		Business Rates	
Age in Years	2021/22 £'000	2022/23 £'000	2021/22 £'000	2022/23 £'000
1 – 2	1,421	<b>1,471</b>	223	<b>259</b>
2 – 3	935	<b>931</b>	332	<b>119</b>
3 – 4	567	<b>709</b>	95	<b>198</b>
5 – 6	219	<b>301</b>	40	<b>32</b>
Over 6	156	<b>240</b>	43	<b>37</b>



# Agenda Item 12a

Total	3,669	<b>4,112</b>	785	<b>704</b>
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- Performance information as detailed in Appendix E of the report.

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

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