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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 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 in the G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on **WEDNESDAY, 4TH OCTOBER, 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

- 16 (d)(i) Policy Development Committee (Pages 7 - 18)
(i) 14 September 2023 (to follow)

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

26.09.23

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. Members of the public that attend meetings must be aware that these meetings are open to the public and so therefore both individuals and the Council itself have the right to record the meeting. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chair of the meeting will make sure any request not to be filmed 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 Chair 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 recording should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be filmed. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be filmed must advise the Chair at the earliest opportunity to allow them to be directed to an area in the room where they will not be caught on camera. Subject to paragraphs 1, 2 and 3 above, audio recordings shall be permitted at all times during public meetings.
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.

All public meetings held at Brynsworthy Environment Centre are held on the ground floor and are accessible through the main entrance to the building or via a ramp located adjacent to the main entrance



NORTH DEVON COUNCIL

Minutes of a meeting of Policy Development Committee held at Barum Room - Brynsworthy on Thursday, 14th September, 2023 at 6.30 pm

PRESENT: Members:

Councillor L. Spear (Chair).

Councillors Bulled, Clayton, Jones, Patrinos and Wilson.

Officers:

Performance and Director of Resources and Deputy Chief Executive and Head of Programme Management

9. APOLOGIES

Apologies for absence were received from Councillors Bishop, Bushell, Hunt, D. Knight, Turton and Worden.

10. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 6TH JULY 2023 (ATTACHED).

RESOLVED, that the minutes of the meeting held on 6th July 2023 (circulated previously) be approved as a correct record and signed by the Chair.

11. DECLARATIONS OF INTEREST.

There were no declarations of interest announced.

Councillor Bulled arrived at the meeting.

12. WORK PROGRAMME 2023/24.

The Committee considered the work programme together with three scoping papers (circulated previously).

The Vice Chair addressed the Committee regarding the approach for consideration of the three areas of interest identified and developed as part of the scoping papers.

The Committee discussed the dates of the forthcoming meetings and the workload that was already identified and detailed within the work programme.

(a) **Agriculture**

(a) Agriculture

Councillor Bulled addressed the Committee as the appointed lead Member of the working group for agriculture.

She highlighted the following points to the Committee:

- The members of the working group had agreed to focus on the uncertain state of agriculture support and its impact upon farming income.
- To broaden the knowledge of the non-farming community and to highlight the difficult situation that farmers were currently experiencing together with the impact upon the wider community.
- To seek greater recognition and support for the policy implications in terms of the financial and cultural health of the rural farming economy.
- The importance of acknowledging the benefits to the wider community in food production together with environmental enhancement to support tourism and investment from other businesses in the future of North Devon.

She added that as the current proposals regarding agricultural payments to farmers were unknown; any way forward in terms of support to farmers might take some time despite the imminent future loss of income.

She proposed that the item be considered later in the Committee's work programme to allow Members to be fully informed of the potential situation at the point of discussion.

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

- North Devon Council did not have a specific policy in relation to agriculture, they did however work closely with North Devon +.
- A large amount of the North Devon + programmes and advertising was shared via the Council's media channels and the Communications team always ensured that all wider public information was shared.
- Establishment of a Rural Working Group to include a wider group of Members outside of the Committee

with a view to developing a rural policy for North Devon Council would require approval from both the Strategy and Resources Committee and Full Council and consideration would need to be given regarding the aspirations of such a group and where its role would sit within the wider Council priorities.

- A corporate priority workshop was scheduled to be held in October 2023 and the potential establishment of such a rural working group would ideally need to be determined prior to that workshop.

The Head of Programme Management and Performance added that Members could look at the Terms of Reference for the Climate Action team, which had already been established to assist with the development of the Carbon Reduction Plan. This would then inform all members to determine the remit of a potential working group together with the strength of the proposal.

The Committee discussed the following:

- That the sharing of information was key to ensure that the public were fully informed about the financial impact on the farmers with the loss of subsidies.
- That the landscape would be impacted upon significantly and the communications had to be right.
- That there appeared to be more emphasis on the environment as opposed to food produce.
- That farmers could potentially lose up to 80% profit with the average farming family earning £18K a year, the majority of which funded through subsidies; the loss of these would have a direct impact.
- The knock on effect to the general public would be an increase in food prices and smaller farms would suffer financially.

RESOLVED:

- (a) that the agriculture item be considered at the March 2024 meeting of the Committee;
- (b) That the working group develop a plan of how they would like to approach the issue; and
- (c) That the working group also explore the proposal of establishing a wider rural working group.

(b) **Dentistry**

Councillor Patrinos, Vice Chair addressed the Committee as the appointed lead Member of the working group for dentistry.

He highlighted the following points to the Committee:

- NHS dentists were in crisis nationally.
- The groups focus was to look at the demand for NHS dentistry.
- There was a webinar scheduled to be held on 18th September 2023, which a link to join had been circulated to the Committee and he had submitted 10 questions and was currently awaiting a response:
 1. How many dentists were currently working at practices in Devon?
 2. How many patients were registered with those practices?
 3. How many patients had been accepted onto waiting lists for those practices?
 4. How many dental practices were there in Devon?
 5. How many practices were not accepting new patients?
 6. How many practices were not accepting people onto their waiting lists?
 7. How many practices were accepting people onto their waiting lists?
 8. Were there any areas of Devon that were especially short of dentists?
 9. How many Accident and Emergency (A&E) patients present with health problems stemming from lack of professional dental care?
 10. What should a parent whose child was in need of dental treatment but not registered with a practice do to receive dental treatment?

The Committee discussed the following:

- That the meeting involving various stakeholders should be held within the next few months.
- That in light of there being no orthodontist services available in the North Devon area, which had meant that some children had been unable to have their braces removed or adjusted, the Committee agreed to add orthodontistry to the review.

- Acknowledged that private dental practices also had long waiting lists.
- Noted that the emergency number for dental care did not work properly.
- Questioned how many dentists had left employment in the UK and returned to Europe following BREXIT and the impact that this might have had on NHS dentistry.

In response, the Director of Resources and Deputy Chief Executive advised that the Local Member of Parliament (MP) was currently running a petition to be presented to parliament regarding the lack of available NHS dentists in the North Devon area.

RESOLVED:

- (a) that the dentistry item be considered at the November 2023 meeting of the Committee;
- (b) that the MP be invited to attend the meeting to discuss the issues; and
- (c) that orthodontists and private dental practices also be included within the remit for the working group.

(c) **Water Quality**

Councillor Jones addressed the Committee as the appointed lead Member of the working group for water quality.

He highlighted the following points to the Committee:

- The scope of the work was to speak to experts to support and instigate an effective centralised river water monitoring network across North Devon.
- To establish what was already in place together with its effectiveness and the support required to deliver.
- Looking to hold two meetings, the first meeting to be held in an informal setting to meet with stakeholders involved to establish what was currently in place together with the support that was required. The second meeting would form part of a scheduled Policy Development Committee and would call further experts with discussions around facilitation of ongoing projects.
- Had spoken with the North Devon Biosphere who were responsible for flood monitoring and had organised a separate meeting with West Country Rivers Trust.

- Aspirations to discuss with experts a single localised catchment to monitor testing to gain a broader understanding of the findings.

The Committee discussed the following:

- Questioned whether the Environment Agency undertook regular testing of water quality.
- An incident earlier in the day at Barricane Beach in Woolacombe where a storm had caused an overflow of sewage onto the beach and as a result the Council had been asked to assess the health impact.
- Questioned the capacity of existing sewage treatment works with in parishes and their ability to cope with the impact of new builds.

In response to a question regarding holding joint meetings with Torridge District Council regarding the three scoping papers, the Clerk advised that she had been in contact with an officer at Torridge District Council and advised that they already had an established working group for water quality but they were keen to work jointly in regards to dentistry and agriculture.

The Director of Resources and Deputy Chief Executive advised the Committee of a couple of typographical errors within the work programme for the dates of the items due for consideration in February 2024, the correct dates were as follows:

- Review of Fees and Charges for services 2024/25.
- Revenue Budget 2024/25, Capital Programme & Medium Term Financial Strategy 2024-2030.
- Treasury Management Strategy Statement 2024/25.
- 10-Year Capital Strategy 2024-2034.

RESOLVED:

- a) That the work programme together with the amendments above for 2023/24 be noted, subject to the inclusion of the following items:
 - i. November 2023 – Dentistry.
 - ii. December 2023 – Water quality.
 - iii. March 2024 – Agriculture.
- b) That key stakeholders be invited to attend an informal meeting to discuss issues prior to discussions in a formal Committee setting;

- c) That the Chair of the Overview and Scrutiny (External) Committee at Torridge District Council be contacted with a view to accepting their offer to hold joint meetings to consider the items in relation to dentistry and agriculture;
- d) That stakeholders be invited to attend the Committee on 14th December 2023;
- e) That the title of the group be changed to “Monitoring water quality in North Devon”; and
- f) That the scoping paper be updated to reflect the comments made by the Committee and include the membership.

13. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 2023/24.

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 2023/24 together with Minute Extract of Strategy and Resources on 4th September 2023 (circulated previously).

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

- The revenue budget for 2023/24 was approved at Council on 22 February 2023 at £14,766,450.
- As at 30 June 2023, the latest forecast net budget was £14,749,450, which produced a budget surplus of £17,000. Details were shown in “Appendix A – Variations in the Revenue Budget”.
- The original budget for 2023/24 included a forecast to achieve £250,000 worth of salary vacancy savings. The current position forecasts we will achieve £93,000 based on known vacancies to date, but it was anticipated that the budget of £250,000 will be achieved by the end of the financial year.
- The National pay award was currently being considered by the Unions; however if the 2023-24 pay award exceeded the budgeted 4% included in the original budget then we would look to fund any shortfall from the Budget Management reserve, which currently had a balance of £814,000.
- As at 1 April 2023 the Collection Fund reserve balance held is £1,340,177. 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 £912,563 balance that will be utilised in 2023/24 and 2024/25 to mitigate timing differences of business rate reliefs awarded in 2022/23 that from an accounting perspective impact over the next

two financial years; thus leaving the fund reserve with a residue balance of £427,614 protection against future volatility.

- The Valuation Office Agency (VOA) have notified the Council that they were to reduce the Rateable Value of the Museum from £146,000 to £1, this change had been back dated to 2019 and a refund in rates payable had resulted in a net positive impact to the council of £184,000. It was recommended this refund amount be contributed to the Regeneration Reserve for future projects.
- At the 30 June 2023 total external borrowing was £3,000,000. The timing of any future borrowing was dependent on how the authority managed its treasury activity. Due to on-going higher interest rates the Council was reporting a £90,000 net increase in Interest receivable.
- “Appendix B – Movement in reserves and Balances” detailed the movements to and from earmarked reserves in 2023/24.
- The 2023/24 Capital Programme was detailed in “Appendix D – Capital Programme 2023/24”.
- The Budget and Financial Framework report to Full Council on 22 February 2023 outlined the Capital Programme for the 2023/24 financial year of £21,247,098. Project underspend and further variations of £6,921,154 were approved as part of the performance and financial management report to Strategy and Resources Committee, to produce a revised 2023/24 Capital Programme of £28,168,252.
- Overall variations of (£5,648,600) were proposed to the 2023/24 Capital programme and £30,000 to 2024/25 Programme as detailed in paragraph 4.4.3 of the report.
- The overall revised Capital Programme for 2023/24 to 2025/26 taking into account the budget variations was £35,119,588 and details of how it was broken down was detailed in paragraph 4.4.4 of the report.
- The Programme of £35,119,588 was funded by Capital Receipts / Borrowing (£13,528,650), External Grants and Contributions (£18,609,678) and Reserves (£2,981,260).
- The Council also have authority to borrow from the Public Works Loan Board (PWLB) as outlined in the Treasury Management Annual Investment Strategy and currently had external borrowing of £3,000,000.
- Capital Programme release of funds as detailed in paragraph 4.4.8 of the report.

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

- That the National Employers decided upon any salary increase proposals.
- The Wilko’s store in the Green Lanes shopping centre was due to close the following week and the Council had raised the majority of rental income up to the point of the company going into administration.
- There had been a request from the administrators to write off the remaining rental. However, the Council had refused this request given that the store was still currently trading.
- The rental income on the unit was around £180K per annum.
- To mitigate the risk of any reduction of rental income within the Centre in a situation of that nature, the Council had placed £75K per year through 2021/22

and 2022/23 into a specific income volatility reserve reserves; which now totalled £150K to meet some of the rental shortfall for the remainder of the financial year.

- Asset Managers (Praxis) were speaking with the administrators and there had been some interest from major retail stores for empty units within the centre.
- The Council would need to liaise with the administrators to ascertain when they get control of the unit back and would be able to market the unit to potential new retailers.
- The company Poundland were interested in some of the Wilko stores nationally but not the Barnstaple branch.
- The interest rates from the Public Works Loan Board (PWLb) were fixed rates for different loans.
- With regards to a return on investments, the Council had seen a return of £75K in the first quarter and a slightly higher return forecast for the second quarter.
- Internal borrowing was a more cost effective way of borrowing for the Council.
- The increase in costs for the Ringo car parking payment system should be offset by a reduction in lower bank charges due to reduced handling of cash.
- There had been a reduction in income for the Building Control Partnership, for which there was a shortfall of £15K for North Devon Council and a shortfall of £49K for Mid Devon District Council. The costs of the partnership were shared proportionately based upon income received, with North Devon Council picking up a higher percentage of the costs.
- Officers from both Councils were currently reviewing the agreement to determine whether or not the current arrangement was functioning in the best interests of both Councils.
- The Building Control team had seen a higher than average number of vacancies over the last couple of years with difficulties attracting potential employees to the roles and having to compete with higher salaries offered in the private sector.
- The business plan that was developed and agreed prior to purchase of the Green Lanes Shopping Centre in 2021 looked at the medium 5-10 year period forecast with cash flow and assumed the economic position at the current time.
- The Council had assumed that future cash flow would be lower on rental income due to economic climate and market conditions. However, at the current time cash flow still showed a positive net income to the Council. Part of the business plan was to review alternative types of business and other ways to increase footfall within the Centre.
- There was an internal audit report due for consideration at the Governance Committee on 25th September 2023, which outlined that the Council held overall £300K of reserves specifically in relation to the Green Lanes Shopping Centre. Other points to highlight was that since the Council had taken on ownership of the centre that an additional 5-6 retail units had been filled and rented out to businesses. The Council was also exploring alternative uses for the units other than retail and the strategy for the centre was constantly evolving.

The Head of Programme Management and Performance outlined the supplementary document, which was attached as Appendix E “Corporate Plan Delivery Highlight report with key results and performance indicators” to the Committee and highlighted the following:

- Appendix E set out the new performance management suite.
- This was the first quarter to bring forward the results to the Committee for consideration.
- It was a live suite of measures which could be added to or reduced at any point.
- The performance indicators showed the health of the organisation at a high level.
- Devon Audit Partnership had recently commenced an Internal Audit review of performance management.
- The next report for quarter 2 would have an update on projects, capital costs and mid-year measures and would give confidence on the delivery of the Corporate Plan.

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

- That a performance indicator could be added to the appendix for a short period of time to monitor the rural missed collections, it was agreed that that Councillor Patrinos speak with the Head of Environmental Enhancement (EE).
- The summer had been a very busy time for the waste and recycling service, which had also been impacted by driver sickness and a minor change to a route, which had impacted about 50 properties.
- There was a national shortage of drivers combined with a heavy volume of material and lessons learnt from this summer would ensure that the service was better resourced next year.
- There had been on occasion the requirement to employ agency staff to address the shortfall within the workforce. However, this created additional issues as they were not familiar with the rounds and as a result, the Council were looking to employ permanent staff.
- There would be 12 new recycling vehicles within the fleet towards the end of the financial year.
- Task and finish shifts would cease after September 2023, which would then ensure that crews returned to Brynsworthy to assist with other crews and leave at their allotted finish time.
- Overtime was only paid in exceptional circumstances, as frontline services did not have Time Off in Lieu (TOIL).
- There were three Performance Indicators (PIs) that were issued by the government, two were already monitored by the Council and there was a third PI in relation to contamination. There were additional PIs, which could be shared with Members, again Councillor Patrinos to be provided with these and also talk to the Head of EE.
- Complaints per ward would be recorded via the Council's Feedback team where complaints were escalated through the various stages of the process and this information could be shared with the Committee if requested.
- The pyramid on page 46 of the agenda referred to the high-level key results. The Council were focussing on the types of calls based on value calls or failure demand calls and whilst the categorisation might not be perfect at the current time improvements would be made.

- The Council will be required to report on its performance to the Office of Local Government set three waste indicators:
 - 1) Proportion of household waste sent for recycling.
 - 2) Residual (i.e. non-recycling) waste per household (tonnes).
 - 3) Contamination rate of recycling – calculated as estimated proportion this is rejected of total amount of household waste sent for recycling.

- Used to have Best Value Performance Indicators and seem to be going back down that route with the three stringent targets put in place.
- There will be another suite of indicators around financial reporting, which consisted of six indicators on which all Councils would need to report, which would represent figures in a national context.
- The planning figures on page 49 of the report had previously reported a 95% success rate. However, officers felt that it was important to show Members the true picture of the current situation for the planning service to include the extension of times requested and approved by applicants / agents.
- There was a backlog of work within the development management team in terms of planning skills and the Council had applied for a grant to address the resource and recruitment issues for which the service was having to rely on agency employees. The aim of the new detailed figures were contained within the report to ensure transparency with performance figures.
- There had been difficulties recruiting staff across all Council services and there were currently agency staff working within the development management team to address the backlog of work.
- There was a request for two additional PI's to be added, which were:
 - Staff turnover by department.
 - Planning applications: Percentage of applications that had requested extensions.

The Head of Programme Management and Performance advised that the software should be able to pull out the information required and added that she would speak to the Development Manager.

RESOLVED:

- a) that the decisions and recommendations of the Strategy and Resources Committee be endorsed; and
- b) that missed collections feedback at operational level be circulated to Councillor Patrinos.

The Committee discussed the poor attendance rate at the Committee meetings and questioned why Members were not attending as they should be.

The Chair agreed to write to Group Leaders to request clarification from their Members as to why they were not attending the Committee meetings.

The Chair thanked Members and Officers for their attendance.

Chair

The meeting ended at 8.41 pm

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