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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 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 G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on **WEDNESDAY, 17TH JULY, 2024 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

23. Minutes of Committees

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

- (f) Policy Development Committee (Pages 9 - 20)
 - (iv) 2 July 2024 (attached)

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

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.

Room G107 is located on the first floor of the South West Institute Development building at Petroc, Old Sticklepath Hill, Barnstaple, Devon EX31 2BQ. A lift is available to the first floor.

The following page shows a location plan of Petroc.

G Block on the plan indicates the South West Institute Development building.

Parking

Point 5 on the plan indicates the short stay car park which is located adjacent to the South West Institute Development building which is free to park after 5.00 p.m.

Cycle Racks

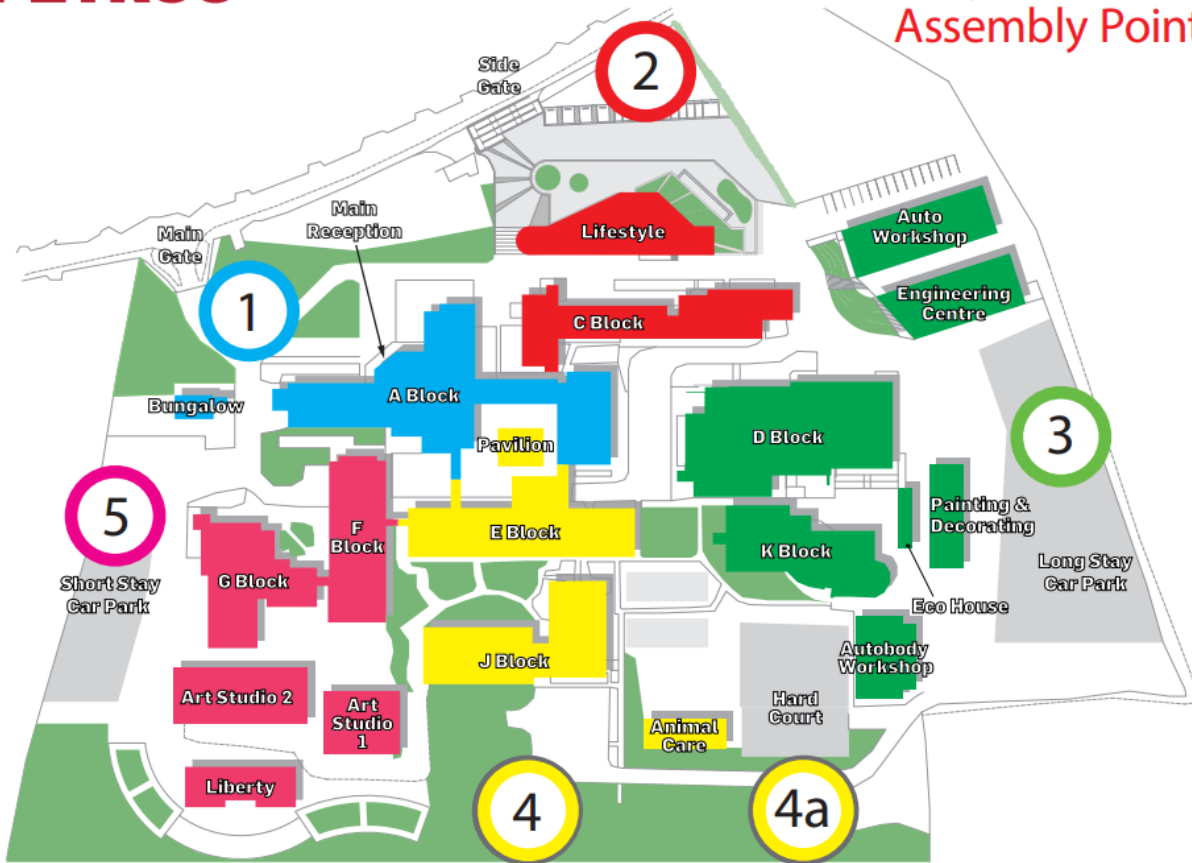
Covered cycle racks are located on the grassed area opposite Petroc's main reception, before the Lifestyle building.

Bus Routes

Stops in **Sticklepath Hill** (East bound) bus service 310
Wrey Arms (West bound) bus services 5B, 21, 21A, 21C, 62C, 322, 386, 646, 815, 821, 903, 921
([Sticklepath, Barnstaple – Bus Times](#))

Fire evacuation procedures

Fire evacuation procedures - Upon hearing a constant 2-tone alarm, please leave the building via your nearest marked fire exit and make your way to the nearest assembly point which is the short stay car park (Point 5 on the map). Lifts are not to be used. Please do not take time to pick up personal belongings and leave the building promptly.



NORTH DEVON COUNCIL

Minutes of a meeting of Policy Development Committee held at Canteen - Brynsworthy on Tuesday, 2nd July, 2024 at 6.30 pm

PRESENT: Members:

Councillor L. Spear (Chair).

Councillors Bishop, Bulled, Bushell, Jones, Patrinos, Turton, Wilson and Worden.

Officers:

Director of Resources and Deputy Chief Executive, Head of Governance and Finance Manager.

18. APOLOGIES

Apologies for absence were received from Councillors Clayton, P. Leaver and Williams.

19. TO APPROVE AS CORRECT RECORDS THE MINUTES OF THE MEETINGS HELD ON 16TH MAY 2024 (ATTACHED) AND 23RD MAY 2024 (ATTACHED).

RESOLVED, that the minutes of the meetings held on 16th May and 23rd May 2024 (circulated previously) be approved as a correct record and signed by the Chair, subject to the following amendments to the minutes of 23rd May:

Page 18:

- Bullet point six should read as:

“The UK was currently only 55% self-sufficient in food production”.

- Bullet point nine should read as:

“Following the announcement on 22nd May 2024 of a General Election, which would be held on **4th** July 2024, the members were advised to refrain from making political statements with the aim of the special meeting being that of a cross party discussion”.

Page 19:

- Question one, first bullet point North Devon + representative should read as:

“**SFI** not FSI”.

- Bullet point four, Local Farmer and Deputy Chair of the National Farmers Union should read as:

“ Herbal **leys** not lays”.

- Bullet point five, point four, Councillor Robin Milton, Local farmer should state:

“ Income for **upland** farmers not “lowland” was well below the minimum wage”.

Councillor Worden who was not present at the special meeting of the Committee on 23rd May 2024 abstained from the vote.

The Committee formally thanked the Clerk for producing such detailed minutes.

20. DECLARATIONS OF INTEREST.

There were no declarations of interest announced.

21. DEFERRAL OF ITEM 6 ON THE AGENDA

RESOLVED, that item 6 on the agenda be deferred until the next meeting of the Committee as the Council was currently in the pre-election period (purdah) and it was therefore not appropriate to discuss any subjects which related to government policy matters.

22. PERFORMANCE AND FINANCIAL MANAGEMENT Q4 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 4 of 2023/24 together with Minute Extract of Strategy and Resources on 1st July 2024 (circulated separately).

The Finance Manager highlighted the following:

- The revenue budget for 2023/24 was approved at Council on 22nd February 2023 at £14,766,450.
- As at 31st March 2024, it was pleasing to report that the final out turn position was a budget surplus of £630,000, which was an overall movement of £557,000 from the last forecast at quarter 3.
- The breakdown showing these movements was shown in “Appendix A – Variations in the Revenue Budget” was detailed on pages 59-60 of the report.
- The net movement from quarter 3 of £557,000 could be mainly attributed to:

Adverse variances:

- £89,000 Reduction in Parking Charge Notice income.

- £191,000 Premises Electricity.
- £132,000 Planning fee income.
- £81,000 External Audit fee.
- £70,000 Insurance premiums.
- £75,000 Transfer of Public Conveniences.

Favourable variances:

- £66,000 Work and Recycling Transport.
 - £54,000 Temporary Accommodation costs.
 - £46,000 Building Control Partnership.
 - £41,000 Crematorium income.
 - £57,000 Additional Grant income.
 - £91,000 Interest receivable and payable.
 - £760,000 Business Rates income.
 - £52,000 Contribution from Community Housing reserve.
- A detailed breakdown of variations in the revenue budget could be seen on pages 59 and 60 of the report.
 - From the revenue budget surplus of £630,000, it was proposed to set aside the amount into the following earmarked reserves:
 - Corporate Property income volatility reserve - £150,000.
 - Insurance Reserve - £280,000 – mitigate 2024/25 higher insurance costs.
 - Digital Transformation Financial system reserve - £200,000.
 - The financial outturn for the Green Lanes Shopping Centre produced a net return (income less costs) for:
 - 2021/22 year of (£243,600) due to minimal borrowing costs as these commenced in 2022/23.
 - 2022/23 trading position produced a net return of (£291,000), including borrowing costs.
 - 2023/24 trading position produced a net return of (£237,000), this included £150,000 from the income volatility reserve due to the financial impact of losing Wilko in August 2023. This reserve having been created in 2021/22 for this purpose to protect the council in the event of a tenant loss and smooth the budgetary impact.
 - As at 31st March 2024 the Collection Fund reserve balance held was £1,790,180. 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 £1,246,078 balance that would be utilised in 2024/25 and 2025/26 to mitigate timing differences of business rate reliefs awarded in 2023/24 that from an accounting perspective impact over the next two financial years; thus leaving

the fund reserve with a residue balance of £544,102 protection against future volatility.

- As at the 31st March 2024 total external borrowing was £3,000,000. The timing of any future borrowing was dependent on how the authority manages its treasury activity.
- Due to project spend slippages in the Capital programme and using the cash flow balances for internal borrowing, this had reduced borrowing costs and had resulted in a £304,000 underspend on the interest payable revenue budget and in addition an increase in interest receivable of £441,000 over and above the budgeted amount in 2023/24. There was no requirement to use the Treasury Management reserve during 2023/24 and so the full reserve balance of £275,000 and the proposed additional in-year contribution of £150,000 could be carried forwards into 2024/25 to help protect and mitigate against higher borrowing costs in the future financial years.
- The recommended level of general fund balance was 5%-10% of the Council’s net revenue budget £738,326 to £1,476,645. The forecast general fund reserve at 31st March 2024 was £1,238,000; which is a level of 8.4%. These figures were detailed on pages 55-57 of the report.
- Appendix B of the report detailed the movement in reserves and Balances” together with the movements to and from earmarked reserves in 2023/24.
- Appendix C of the report detailed the movements and commitments to the Strategic Contingency Reserve.
- Appendix D of the report provided detail in relation to the Capital Programme for 2023/24.
- Actual spend on the Capital Programme for 2023/24 financial year was £10,146,403. The variance against budget of £12,711,140 was (£2,564,737); the carry forward to 2024/25 is £2,528,087 (the difference being £36,650 related to):
 - (£94) Greensweep / Bartec migration, small overspend – Project finished.
 - £3,158 Landmark Theatre, Fire alarm, project complete, remaining budget not required.
 - £33,311 Ilfracombe Watersports centre – Project complete, carry forwards £22,734 as contingency and return remaining £33,311.
 - £257 Queen Ann’s building, flat roof replacement, small underspend, project complete.
 - £18 Queens Theatre replacement flat roof and redecoration, small underspend, project complete.
- The 2024/25 to 2026/27 Capital Programme was attached as “Appendix E – Capital Programme 2024/25 to 2026/27.
- Project under spends of £2,528,087 from 2023/24 year were brought forward to produce a revised Capital Programme for 2024/25 year of £22,786,455.
- Further variations of £1,828,292 are proposed to the 2024/25, £1,211,965 to the 2025/26 and £1,211,965 to the 2026/27 Capital programme as follows:

Schemes	Amount (£)	Notes
Removal of Local	(552,000)	Approved by Strategy

Authority Housing Fund Round 2		and Resources 8th January 2024
Various S106 schemes	358,020	Approved by Full Council 21st February 2024
Hub fit out in Green lanes	220,000	Approved by Strategy and Resources 5 February 2024
Material Recovery Facility	350,060	Variation to existing budget, Approved by Full Council 27 March 2024
Office Technology – end User assets	(100)	Virement to Green sweep software (spend was in 2023- 24)
Ilfracombe Pool Photovoltaic LED Lighting	88,347	New external grant from Sport England
Disabled Facility Grants	1,363,965	Better Care Fund grant allocation for 2024-25
2025/26		
Disabled Facility Grants	1,211,965	Better Care fund allocation (base amount)
2026/27		
Disabled Facility Grants	1,211,965	Better Care fund allocation (base amount)

- The overall revised Capital Programme for 2024/25 to 2026/27 taking into account the budget variations above was £30,894,817 and was broken down as follows:
 - 2024/25 £24,614,747.
 - 2025/26 £5,068,105.
 - 2026/27 £1,211,965.

- Release of Funds under the Capital Programme were as follows:
 - Ilfracombe Pool Photovoltaic LED Lighting - £88,347.
 - Disabled Facility Grants - £1,363,965.

- Section 4.5 of the report detailed the Treasury Management activity

The Director of Resources and Deputy Chief Executive highlighted the following in relation to Appendix F of the report, which detailed the Corporate Plan Delivery highlight report together with key results and performance indicators:

The Housing and Community Safety Programme

- **H&CS: 08 - Homelessness households and temporary accommodation:** Households in temporary accommodation remained high and staff were working hard to find alternative solutions. The Council had funded this work through additional grants, which had been placed into the temporary accommodation reserve.
- **H&CS: 13 – Refugee programme:** National Refugee week was celebrated with a lunch ‘meet and eat’ where Ukrainian and Afghan refugees were invited along to share food from their culture and was a really successful event.
- **H&CS: 15 – Housing Strategy:** A Commercialisation; Asset Management; and Housing Strategy would be developed to ensure they supported each other and would be delivered by September 2024.
- **H&CS: 16 – Community Safety:** The Council was successful in receiving Antisocial Behaviour (ASB) hotspot funding to further enhance the Street Marshall scheme. A procurement would be issued to continue the service. The Council would enhance the presence in Ilfracombe. They would also explore the possibility of providing more delegations to the Marshalls in Public Safety Protection Order areas. The Community Safety Partnership were also supporting the Night Bus again this summer, which would run between Barnstaple and Bideford plus return; and Barnstaple to Ilfracombe plus return.

The Regeneration and Economic Growth Programme

- **R&EG 03: Future High Street Fund:**
 - The Pannier Market had been shortlisted in the heritage category of the Michelmore Property awards 2024.
 - Works had commenced at Queen Street and Bear Street car parks and at Alexandra Road.
- **R&EG 09: Ilfracombe Seafront Masterplan** – The seafront play area was formally opened on 27th March 2024.

Environmental Enhancement

- **EE2C: Management of non-built assets** - Yeo Valley Woodland won the Community Woodland Category of the Community Woodland Devon competition.

Organisational Development Programme

- **OD:03: Parts in pre-project/parts in delivery** - A Leadership Graduate had been secured.
- A staff party funded by UNISON and the Senior Management Team was held to thank staff for their hard work

Following the presentation of the Performance and Financial Management for quarter 4 of 2023/24, the Director of Resources and Deputy Chief Executive advised the following:

- The performance programme information would be embedded into the body of the main report for quarter one, which will be presented to the Committee in either August or September 2024.
- **Page 63 KR 6 of the report: Housing Supply: Net additional dwellings North Devon (DLUHC):** The figures appeared to be fluctuating each year. However, Council Tax Base had increased each year. The figures would be looked at and findings emailed to the Committee Members.
- **H&CS: 10 – Precariously housed in poor quality and/or expensive private sector accommodation:** The reference to healthy homes and improving the living arrangements for those in private rented accommodation in Ilfracombe, the capital funding bid to Government through the combined authority was currently paused due to the calling of the General Election.
- **H&CS: 11 – Rough sleepers:** The risk of future funding remained a concern with the current funding running through to March 2025. Lobbying government for an earlier decision on funding could be considered and the Council was working with a designated government advisor.
- Confirmed that the Council had a five year land supply.
- The LGA Graduate scheme engagement day in Birmingham was very successful and the recruitment video produced by the Council was very well received and could be used again for future recruitment events. The Council subsequently interviewed four candidates and a position was offered to a graduate who was due to commence their placement in September 2024.
- The new 2024 fleet of refuse and recycling vehicles were now operational through a lease agreement with SFS to replace the original Romaquip fleet, which were purchased in 2013. The lease agreement allowed the Council to procure vehicles in a much quicker and efficient manner than they had previously.
- The Council had not anticipated the price increases for electricity supplies, which for some tariffs for 2023/24 were higher than expected and this had impacted upon the electricity costs. Members were advised that the Council did not expect to see the same level of increases in the 2024/25 budget.
- **RG&EG: 17 - Ilfracombe sea pool:** The funding for the proposed sea pool was still being held within the Council's reserves and the Council were working currently working with the Royal Life Saving Society (RLSS) who were preparing a report to fully understand the risks and opportunities that the proposal might bring. As a result two issues had been identified as part of the RLSS report, which were as follows:
 - **Water Quality** - To mitigate the risk, the Council were proposing to implement the standard bathing regulations. The associated costs for this were yet to be established.
 - **Obstructions** - Discussions with the RLSS were ongoing, to establish how the public and groups would formally access and use the pool and how to mitigate the risks associated with operating the pool.

He explained that other considerations included whether there was a requirement for lifeguards to ensure the safety of the users and a comprehensive report would be submitted to Senior Management Team (SMT) within the next few weeks.

- The financial impact of the loss of the Wilko store had been mitigated by an earmarked reserve, which the Council were able to utilise for loss of rental income until a new tenant took over the unit in December 2023. Lessons had been learnt from the experience and the Council would again be similarly proactive should a situation present itself in the future. As a precautionary measure, the decision was taken to place £150,000 back into the income volatility reserve to mitigate any future risk at an early stage.
- The project for the development of the unit in Green Lanes into the Community Hub was due to go out to tender in the autumn of 2024. Lynton House currently housed the design and print room, planning team, car parks and elections and longer term aspiration was to eventually house all staff at the Brynsworthy Environment Centre if that was possible.
- Regarding options for future use of Lynton House, these would be explored at the appropriate time. The Council also owned properties in Castle Street, which were located across the road from Lynton House with numbers 15 and 16 already in use as temporary accommodation. The development of the Community Hub was key to freeing up additional space within Lynton House.
- Part of the criteria for the Healthy Homes initiative was to ensure sustainable development. However, the Council was mindful that this would come at a cost and the capital bid would be submitted.

The Chair and the Committee thanked the staff for their hard work and dedication behind the scenes.

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

23. ANNUAL TREASURY MANAGEMENT REPORT 2023/24

The Committee considered a report by the Head of Governance (circulated previously) regarding the Annual Treasury Management report 2023/24 together with Minute Extract of Strategy and Resources on 1st July 2024 (circulated previously).

The Head of Governance highlighted the following:

- The Council was required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2023/24. This report met the requirements of both the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- The table shown on page 97 of the report detailed the Capital Financing Requirement (CFR) for the financial year 2023/24.

- The Councils CFR as at 31st March 2024 was just over £26 million.
- The figure included projects such as the building of the new leisure centre and the purchase of Green Lanes.
- A further £1.4 million of unfinanced capital expenditure was added to the CFR during 2023/24.
- Despite this increase in borrowing need the external borrowing from the PWLB remained at £3 million for the year.
- There was £2.8 million borrowing in relation to our finance leases bringing the total borrowing to £5.8 million for the year.
- The Council used £20.2 million of its own funds to make up the under borrowed position.
- In terms of investments held by the Council – the Council maintained an average balance of circa £13 million of internally managed funds.

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

24. WORK PROGRAMME 2024/25

The Committee considered the work programme for 2024/25 (circulated previously).

The Clerk to the Committee confirmed that the date for the special meeting of the Committee to discuss dentistry had been arranged for Thursday 18th July 2024 at 6:30pm in G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College.

The Vice Chair and Lead Member for the dentistry working group advised that the special meeting would be held jointly with the External Overview and Scrutiny Committee of Torridge District Council, which would be held as two meetings running in parallel to each other.

The Committee discussed the format of the special meetings that had been held previously and acknowledged that whilst both meetings had been really successful, Council processes sometimes appeared to the attending public to complicate the process unnecessarily.

The Vice Chair agreed that having joint meetings did complicate the process and the majority of the administrative support and co-ordination for the forthcoming special meeting had been provided by the Clerk to the Policy Development Committee of North Devon Council, which had put additional pressure on already stretched resources.

He added that following a meeting with the Chair of the External Overview and Scrutiny Committee of Torridge District Council there had been a request that if the joint meeting was a success that moving forward both Committees should try to co-ordinate their work programmes.

The Director of Resources and Deputy Chief Executive advised that he would report back to the Chief Executive of North Devon Council regarding the importance of

sharing resources for administrative support when special joint meetings were being arranged.

Councillor Jones, Lead Member for water quality working group provided an update in regards to the latest position:

- Discussions with Torridge District Council were currently ongoing with regards to holding a joint meeting to discuss water quality across both the North Devon and Torridge areas and the outcomes that they would like to achieve.
- Had met with the Westcountry Rivers Trust to discuss promises which had been made at the special meeting. However, it would currently appear that these promises were not quite as they had been hoped.
- Water testing was ongoing in the Little Dart River where high levels of phosphates had been recorded at a pipe source. These findings had been reported to the Environment Agency who were responding very swiftly to try to identify issues.
- There was a requirement to work more closely with the Westcountry Rivers Trust or other routes such as South West Water (SWW) as active testing could identify problems.
- At MP level they were only focussed on what ended up on the beaches. However, the issues began further upstream and this was the area that they needed to focus on.
- A meeting would be scheduled with Torridge District Council following the General Election to discuss the approach to be taken with the MP.

The Director of Resources and Deputy Chief Executive advised that many of the issues mentioned regarding water quality could be addressed through the thematic working groups, which had been established as part of the Local Plan review.

Councillor Jones questioned which members were part of the thematic working groups and Councillor Bishop advised that he was.

Councillor Bulled, the Lead Member for agricultural working group questioned why the water quality testing only focussed on the testing of phosphates, where as if the water quality was tested for ammonia it would also pick up any phosphates.

Councillor Jones advised that the phosphate testing kits were less expensive and so that was what they had been provided with.

In response to a question regarding discussions with Exmoor National Park Authority, Councillor Jones advised that at the current time efforts were focussed on the Taw and Torridge catchment areas.

Councillor Bishop advised that he had been carrying out testing on three rivers, which were very clean and these were as follows:

- The River Bray.
- The River Yeo.
- The River Barle.

Councillor Wilson, Lead Member for GPs and Health inequality working group requested clarification as to when she would be contacted regarding the special meeting, which would be held in either October or November 2024.

The Clerk advised that as soon as arrangements commenced for the special meeting that she would make contact with Councillor Wilson to discuss the approach.

In response to a request from a member of the working group for GPs and health inequality that Councillor Wilson set up a discussion group to start the initial conversations, she confirmed that she would do that following the meeting.

RESOLVED, that the work programme be noted.

Chair

The meeting ended at 7.34 pm

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

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