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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, 25TH SEPTEMBER, 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

17. Update to Constitution - Delegated Powers to Harbour Board (Pages 7 - 8)
To consider the recommendation of the Governance Committee held on 23 September 2024 (attached).

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

17.09.24

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

COUNCIL: 25 SEPTEMBER 2024

UPDATE TO CONSTITUTION – DELEGATED POWERS TO HARBOUR BOARD

MINUTE EXTRACT OF GOVERNANCE COMMITTEE HELD ON 23RD SEPTEMBER 2024

The Committee considered a report by the Senior Solicitor and Monitoring Officer regarding the Update to the Constitution – Delegated Powers to Harbour Board (circulated previously).

The Senior Solicitor and Monitoring Officer advised the Committee:

- The Harbour Board had recommended the establishment of a formalised advisory board (the Ilfracombe Harbour Advisory Committee), made up of harbour users, to ensure compliance with the Ilfracombe Harbour Revision Order. The update to delegated powers to the Harbour Board was required in order that it had the power to formally approve appointments to the advisory board.
- The proposed amendment to the delegated powers of the Harbour Board was not specific to Ilfracombe Harbour in order that a similar advisory board could be set up in respect of Lynton and Lynmouth Harbour should this be required in the future.
- The reference to “long term strategy plan” in paragraph 2 of the delegated powers to the Harbour Board was updated to “business plan” to reflect appropriate and up to date terminology.
- Appendix A set out the proposed North Devon Council Constitution extract (Paragraph 6 to Annexe 1 Part 3), Appendix B showed the original extract with proposed amendments (as tracked changes) in order that members and the public could see specifically what was proposed to be changed. Appendix C was the Ilfracombe Harbour Advisory Committee Constitution.

RECOMMENDED that Paragraph 6 to Annexe 1 to Part 3 of the Constitution be amended (with the wording set out in appendix A to the report).

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