



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 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', written in a cursive style.

Chief Executive

AGENDA

18. Minutes of Committees

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

- (d) Policy Development Committee (Pages 7 - 18)
 - (i) 18 July 2024
 - (ii) 12 September 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.

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, 12th September, 2024 at 6.30 pm

PRESENT: Members:

Councillor Patrinos (In the Chair).

Councillors Bishop, Bulled, Bushell, Clayton, Jones, P Leaver, Wilson and Worden.

Officers:

Director of Resources and Deputy Chief Executive, Head of Programme Management and Performance and Finance Manager.

Also Present in person:

Councillors Maddocks and Norman.

30. APOLOGIES

Apologies for absence were received from Councillors Spear and Williams.

31. TO APPROVE AS CORRECT RECORDS THE MINUTES OF THE FOLLOWING MEETINGS:

RESOLVED, that the minutes of the meetings held on 2nd July and 18th July 2024 (circulated previously) be approved as correct records and signed by the Chair.

32. DECLARATIONS OF INTEREST.

There were no declarations of interest announced.

33. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED AS A MATTER OF URGENCY.

Councillor Spear: The Committee sent their best wishes to the Chair of the Committee and wished her well in her recovery.

Cyber Security training – Boxphish: The Chair reminded Members that as part of the Members Agreement that all Members signed up to following the elections in 2023, all Members had now been enrolled onto the Council's Cyber Security training platform.

Courses would be issued on a monthly basis and Members had already received their first two emails, which each contains a short video that they must watch and then complete the five multiple choice questions.

Each course takes a total of 10 minutes to complete and Members need to achieve 80% to pass each course.

The Committee was advised that training was ongoing and compulsory for each elected member and linked directly to their role as a North Devon Councillor and also had the full support and endorsement of the Senior Management Team.

34. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2024/25.

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 2024/25 together with Minute Extract of Strategy and Resources on 1st July 2024 (circulated previously).

The Finance Manager highlighted the following:

- The revenue budget for 2024/25 was approved at Council on 21st February 2024 at £16,432,690.
- As at 30th June 2024, the latest forecast net budget was £16,419,690, which produced a budget surplus of £13,000. Details were shown in “Appendix A – Variations in the Revenue Budget” of the report.
- The original budget for 2024/25 included a forecast to achieve £250,000 worth of salary vacancy savings. The current position forecasted that the Council would achieve £143,000 based on known vacancies to date, but it was anticipated that the budget of £250,000 would be achieved by the end of the financial year.
- The National pay award was currently being considered by the Unions; however if the 2024-25 pay award exceeded the budgeted 4% included in the original budget then the Council would look to fund any shortfall from the Budget Management reserve, which currently had a balance of £528,627.
- As at 1st April 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 (£1,012,856) and 2025/26 (£233,222) 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 £544,105 protection against future volatility.

- At the 30th June 2024 total external borrowing was £6,000,000. The timing of any future borrowing was dependent on how the Authority managed its treasury activity.
- Due to project spend slippages in the Capital programme and using the cash flow balances for internal borrowing, an estimated reduction in borrowing costs and a potential underspend of £100,000 on the interest payable revenue budget.
- As part of the 2023/24 outturn the Council contributed an additional £250,000 into the insurance reserve to mitigate against higher costs in 2024/25 and beyond, the reserve currently had a balance of £347,500 and officers planned to use £220,000 from the reserve to offset the increased insurance costs in the year 2024/25. This left a balance of £127,500 in the reserve to help mitigate against future years costs.
- Pay and display income was slightly lower than anticipated with an estimated reduction for the year of around £120,000.
- Movement in reserves and balances was attached to the report at Appendix B.
- Strategic Contingency Reserve movements and commitments were attached at Appendix C.
- The 2024/25 Capital Programme was attached as Appendix D.
- The Budget and Financial Framework report to Full Council 21st February 2024 outlined the Capital Programme for the 2024/25 financial year of £20,258,368. Project underspend and further variations of £4,356,379 were approved as part of the performance and financial management report to Strategy and Resources Committee, to produce a revised 2024/25 Capital Programme of £24,614,747.
- Overall variations of (£586,789) were proposed to the 2024/25 Capital programme as follows:

➤ Other Variations (+ and -) to 2024/25 Capital Programme £11,170.

Schemes	Amount (£)	Notes
S106 – CCTV Anchorwood Bank, Taw Wharf	11,170	Strategy and Resources committee 1 st July 2024.
Disaster Recovery and Back-up testing	(1,298)	Virement between schemes.
Office Technology End User Assets	1,298	Virement between schemes.

- Project movements (to)/from future years (£597,959).

Retaining wall Cross Street Car Park Lynton	(9,500)	Slip spend and funding to 2025/26.
Fremington Quay River Wall	(69,209)	Slip spend and funding to 2025/26.
Fairview and Brookdale Carparks	(142,750)	Slip spend and funding to 2025/26.
Adelaide Terrace Retaining Wall	(376,500)	Slip spend and funding to 2025/26.

- The overall revised Capital Programme for 2024/25 to 2026/27 taking into account the budget variations above is £30,905,987 and was broken down as follows:
 - 2024/25 £24,027,958.
 - 2025/26 £5,666,064.
 - 2026/27 £1,211,965.

- The Programme of £30,905,987 was funded by Capital Receipts / Borrowing (£13,411,234), External Grants and Contributions (£15,417,968) and Reserves (£2,076,785).
- The actual spend for 2024/25 as at 30th June 2024 was £1,841,500.
- Release of Funds – Capital Programme, which were approved by the Strategy and Resources Committee on 1st July 2024:
 - S106 Anchorwood Bank £11,170.

Appendix E of the report detailed a summary of updates on the Corporate Plan, Key results and performance indicators.

The Head of Programme Management and Performance advised that appendix E provided a high-level update in relation to the Council's programmes delivering its current Corporate Plan priorities together with performance measures for Q1 2024/25, with some historic information where available and year-end figures.

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

- **Page 34** of the report indicated an increase in insurance premiums, this was largely due to an inflation increase in terms of the market, which had seen an increase in their premiums for local authorities who had a recycling depot and the increased risk of fire damage.
- **Page 38** of the report displayed a table detailing council tax and business rates arrears. The table appeared to indicate that the total for council tax arrears had risen by 10% and business rates by 15%. These figures had been impacted by the effect of the cost of living crisis, which in turn impacted upon debt recovery. The Council raised £80m a year in Council Tax, and the figures included aged debt over a six year period, which the level was not significant in terms of incremental increase and was quite a small percentage in terms of overall debt raised.

The teams were working closely with customers regarding repayment plans, some of which had seen the repayment period extended from 10-12 months to make it more manageable for customers.

- **Page 41** of the report indicated an apparent decrease in recycling rates, the Service Manager (Refuse and Recycling) was seeking clarification re. the interpretation of the figures and doing some verification in terms of reasons for this. The updated figures would be shown in the next performance report, by which time they would have been verified by Devon County Council.

The Director of Resources and Deputy Chief Executive added that the original figures for quarter 1 were missing some of the data from June 2024, which was why the figure was looking lower than expected.

- The reduction in income from car parks appeared to be following a similar trend to the 2023/24 year's outturn report. The budget for this year 2024/25 had been set at a similar level to 2023/24 and was forecasting £120, 000 reduction in income at the current time.
- In terms of seasonality the budget for the current year was based on previous year's income. The Council was hopeful that quarter 2 would be a busier period for the Council owned car parks and that this would be reflected in the quarter 2 report. If the income for the current year had been boosted by better summer than 2023/24 the forecast shortfall should be lower in the quarter 2 report.
- The Combined Authority bid process was currently with government, two bids were submitted and the Council was currently awaiting the outcome of the bid process. The government were currently reviewing their budgets in light of the upcoming budget announcement in October 2024.
- **Page 39** of the report under the last bullet point it stated:

“One Ilfracombe working with partners to establish a baseline of all groups and activity across partners align these and ensure no duplication of effort”.

- There were a lot of groups in Ilfracombe operating independently and doing some fantastic work in isolation. However, it would be beneficial to get them working collaboratively. So, with that in mind, the Head of Place, Property and Regeneration together with the Chief Executive of North Devon Council had been working with One Ilfracombe, Ilfracombe Town Council and Devon County Council to establish a Governance Board so that projects and initiatives had a direction and steer to task teams and to the project teams, which then allow them to report back up through the chain to the Steering Group. This mechanism then provided a full oversight of all of the ongoing activities of the various groups and provided better management of resources. An initial meeting had already been held with Ilfracombe Town Council the previous week and also a day prior to this meeting to give greater visibility across all activities.
- The National Pay situation was still being considered by the Unions after the national employers offer was made earlier in the year, which was rejected by the Unions and they had now balloted their members with regards to proposed strike action, the result of the ballot was expected late September/early October 2024. He added that the national offer on the table was overall in line with what the Council had budgeted, which was for a 4% increase in salaries with any potential shortfall being funded from the Budget Management reserve.

- There had been a reduction in bank rates, which had impacted the long term borrowing rates slightly. The Council was only externally borrowed £6m and borrowing the rest of the money internally. So as not to incur higher borrowing interest rates and generally borrowing for the current time would be shorter term. When longer term rates eventually reduced, that would be the opportunity for the Council to borrow externally and for longer if so required.
- **Page 61: 8b** Total number of properties registered as second homes in each quarter were detailed in this section of appendix E. The figures for the number of properties registered as second homes for quarter 1 of 2023/24 was 1,806. However, in quarter 4 the figure had increased significantly to 2,058 and then increased further to again to 2,122 in quarter 1 of 2024/25.

The Director of Resources and Deputy Chief Executive advised that there had been a revision to the Council tax Base following changes to business rates eligibility on second homes, which could have had an impact on the figures. He added that he would investigate the reasons for the sudden increase in the figures and report back to the Committee.

- **Page 61: KR 8:** The Committee questioned the number of residential properties that had been classed as empty for more than three months on the Council Tax base differed significantly from 730 in quarter one of 2023/24 to 692 in quarter one of 2024/25. The Head of Programme Management and Performance advised that the figures varied depending on stages of repair or maintenance to properties, some of those properties might be in probate, some of it was just natural churn that were currently listed as empty and that many of the properties had been on the register for a number of years.

In response to a further question regarding the Council's ability to bring empty properties back into use, she advised that if the Council could use the Empty Dwelling Management Order to encourage owners to bring their properties back into use, the Council would need to change its business model to enable this and was currently reviewing all options.

- Refuse collections from holiday homes that were registered for business rates shouldn't be placed in black bins for collection by the Council and should as an operation paying business rates pay for a separate commercial trade waste collection service.

The Director of Resources and Deputy Chief Executive added that there was regular communication between the Commercial Waste team and the Business Rates team to ensure that the Council was not collecting refuse for independent holiday lets. He explained that holiday home owners registered as a business were required to have a trade waste licence to dispose of waste from their rental properties. The Councils refuse trucks were also installed with Bartec systems, which would identify the properties that were let as holiday homes and therefore not collect domestic refuse from those properties as part of the black bin collections.

In response to a query from a Member that there were holiday rentals in a local village that were utilising the Council’s black bin collection as opposed to disposing of waste under a trade waste licence, the Director of Resources and Deputy Chief Executive welcomed any intelligence that members had to support those concerns.

- **Page(s) 78/79: CF: 01:** Fly tipping was an ongoing concern and the temporary closure of the recycling centre at Barnstaple might see an increase in occurrences. The Director of Resources and Deputy Chief Executive advised that he would liaise with the Head of Environmental Enhancement to ascertain the level of communications that had been shared with the public regarding the temporary closure.
- **Page 67: H&CS: Community Safety - Street Marshalls:** The street marshall’s scheme was a good example of North Devon Council and Barnstaple Town Council working collaboratively to deliver a really well received and valued service.

The Director of Resources and Deputy Chief Executive explained that the Council had received additional one off hot spot funding from the Police for Ilfracombe to facilitate the employment of street marshals for a couple of days per week and that this had been a very successful exercise in terms of trialling the scheme in a different town.

Fly tipping incidents were still occurring within the district and the Director of Resources and Deputy Chief Executive advised that he would ensure that key messages were publicised with regards to the temporary closure of the recycling centre in Barnstaple.

- **Page 64: H&CS: 04 - Affordable Housing:** The Committee requested an update with regards to Community Land Trusts and the Head of Programme Management and Performance advised that she would liaise with the Service Lead – Affordable Housing with regards to an update in relation to the latest position.

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

35. WORK PROGRAMME AND SPECIAL MEETINGS HELD IN 2024/25 - TO CONSIDER AND DISCUSS THE ONGOING PROGRESS OF ACTIONS FROM THE SPECIAL MEETINGS OF THE COMMITTEE:

The Committee considered and discussed the ongoing progress of actions from the special meetings of the Committee.

The Chair advised that there was a requirement for a more structured and focussed way to manage and report upon progress of each special meeting.

- a) **Water quality within the North Devon area held on 29th February 2024:**

The Committee considered the previous update provided by Councillor Jones on 2nd July 2024.

Councillor Jones advised that since his last update there had not been a huge amount of progress. The meeting with members from Torridge District Council was delayed due to the General Election. He added that if any additional Members wished to be part of the working group they were more than welcome to join.

He advised that he would organise a meeting with the working group to catch up on the progress made to date and to discuss a proposed way forward. He added that he would be attending a Westcountry Rivers Trust conference that forthcoming weekend together with a few fellow Members.

He was also due to meet with the local MP to discuss water and pollution issues within the North Devon area.

Councillor Jones provide an update in relation to the following:

- Regular testing had continued on Little Dart catchment and the samples had continued to indicate the presence of phosphates. The Environment Agency had investigated the findings and whilst there had been no follow up response, he had observed that there was now a cover over the slurry pit in the valley and the most recent tests were now running clear.
- There had been challenges regarding the detection of phosphates from testing undertaken beneath Rackenford Sewage Treatment works. South West Water had investigated the findings but had concluded that there was no issue. However, their testing processes were designed to detect ammonia, whilst the kits that had been used to detect the issue were designed to look for phosphates.

This issue would be followed up with the Westcountry Rivers Trust.

- On 26th October 2024 there was a “March for Clean Water” being held in London, which Councillor Jones would be attending.
- Pharmaceutical levels in rivers up on Exmoor were the highest in the country.
- The outcomes of the special meeting held on 29th February 2024 should be feed into the development of the new Local Plan and the actions from the meeting should be sent to the Local MP.

In response to concerns regarding planning applications that were grant depended and farmers concerns that they would lose their grants due to delay. The Director of Resources and Deputy Chief Executive advised that any applications that were grant dependent should be clearly stated on the application. He added that by making this clear on the application the team

could ensure that any applications of that nature were drawn out and dealt with accordingly.

- b) **Agriculture within the North Devon area held on 23rd May 2024:** To consider the impact of agriculture within the North Devon area

The Committee considered the previous update provided by Councillor Bulled on 24th May 2024.

Councillor Bulled made the following statement:

North Devon was a rural economy with many protected and important sites. A quality local plan was vital in terms of ensuring biodiversity gain, net zero emissions and locally produced food.

She advised that she had spoken with the Chief Executive of North Devon Council at length and he had advised that agriculture had its own section within the Council's Economic Strategy together with full integration within the new Local Plan.

There had been concerns raised within the farming community with regards to delays in the planning process together with the impact of those delays with regards to the potential loss of grant funding.

In response to the above, the Director of Resources and Deputy Chief Executive advised that the planning team were currently three weeks behind in terms of registering planning applications. However, the backlog was being addressed through additional resources. He added that communication between both the applicant and the authority was a key component and vital to the process and that all information was required at the first opportunity to ensure that nothing was missed.

He added that if Members had specific examples of delays and issues with potential loss of grant funding he would be interested to see them. In terms of the length of time taken to process applications, he advised that he was not aware of a wider issue within the service as there had only been two complaints raised in relation to the length of time taken on planning applications since January 2024 together with 10 compliments received around the service customers had experienced.

Councillor Jones emphasised the importance of supporting the local agricultural industry together with the utilisation of social media to promote British farming and requested that a Notice of Motion be presented to Full Council to that affect.

Councillor P. Leaver echoed Councillor Jones's statement and advised that planning officers were bound by statutory requirements, based on public consultation together with a duty to advertise applications to the public prior to a final decision being taken. He added that any issues with grant applications was a government issue and not a Council issue.

Councillor Bulled advised that by voting against the motion for a plant based farming alternative at Full Council on 17th July 2024, the Council had shown its support to the local farming community.

She added that other Councils had also voted against similar motions and encouraged all Members to attend the farm walk, which was being held on Tuesday 24th September 2024.

She explained that the Committee needed to be specific in terms of any Notice of Motion that it presented to Full Council as agriculture already featured in the Council's Economic Strategy and the existing Local Plan and questioned what the Council could add to what had already been done so far.

The Chair advised that the Committee should make a recommendation to Full Council.

In response to a question regarding the delays with regards to the planning application validation process, the Director of Resources and Deputy Chief Executive advised that as already outlined there was currently a three week backlog within the team and that resources had been increased with an aim to reduce the three week period wait times. He refuted the claim that the planning process was holding back the agricultural sector and added that an increasing number of applications were being determined within the eight weeks without the requirement for an extension of time and that the team were working as hard as they could.

Councillor Maddocks explained grants that were currently available to the agricultural sector were being processed and awarded via the Areas of Outstanding Natural Beauty (AONB) and that the cut-off date was March 2025. He added that he had noticed that an increasing number of farmers were contacting him following the special meeting.

36. ADJOURNMENT OF MEETING

RESOLVED that it being 7:54 pm that the meeting be adjourned for a period of five minutes to enable the Members to prepare a recommendation to Full Council.

RESOLVED that it being 8.01 pm the meeting be reconvened.

RESOLVED, that that recommendation to Full Council be deferred until the next meeting of the Committee to allow Members sufficient time to formulate the wording to be considered and voted on by the Committee.

- c) **Dental provision within the North Devon area held on 18th July 2024:** To consider and discuss dental provision within the North Devon area.

Councillor Patrinos advised that since the special meeting of the Committee held on 18th July 2024 he had yet to reconvene of the dentistry working group.

He explained that the new MP for North Devon had recently been appointed to the Government's Dentistry Committee, which he hoped that would enable a more direct route to raise ongoing concerns.

37. TO CONSIDER THE WORK PROGRAMME FOR 2024/25

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

Councillor Wilson, Lead Member for the GP Surgeries and Health Inequalities working group advised that she would convene a meeting of the working group within the next two weeks to discuss a way forward.

The Committee agreed that the meeting would be held sometime in November 2024.

The Members noted that the special meeting regarding transport and infrastructure would be held in March 2025 and was to be led by Councillor Worden.

The Clerk advised that in addition to the contact details for the person that she had already received, in order to begin arrangements for the special meeting in relation to GPs and Health Inequality she would require a full list of contacts for those witnesses that the working group wished to invite.

RESOLVED, that the work programme for 2024/25 be noted.

Chair

The meeting ended at 8.10 pm

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

This page is intentionally left blank