

**NORTH DEVON COUNCIL**

Minutes of a meeting of NORTH DEVON COUNCIL held at Virtual - Online meeting on Wednesday, 22nd July, 2020 at 6.30 pm

PRESENT: Members:

Councillor Biederman (Chair)

Councillors Bulled, Bushell, Campbell, Cann, Chesters, Crabb, Davis, Davies, Fowler, Gubb, Henderson, Hunt, Knight, Lane, Lovering, Lofthouse, Ley, Luggar, Mack, Mackie, Orange, Patrinos, Pearson, Phillips, Prowse, Roome, D. Spear, L. Spear, Topham, Topps, Tucker, Turton, Walker, Wilkinson, Worden, Yabsley and York

Officers:

Chief Executive, Head of Resources and Senior Solicitor/Monitoring Officer

**123. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE**

The Chair outlined the virtual meeting procedure and etiquette to Council and attendees.

The Senior Corporate and Community Services Officer confirmed the names of those Councillors and officers present and advised that members of the public and press were also in attendance.

**124. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Leaver.

**125. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2020 (ATTACHED)**

RESOLVED that the minutes of the meeting held on 26 February 2020 (circulated previously) be approved as a correct record and signed by the Chair subject to the heading of minute 108 (a) being amended to include reference to the “traffic congestion in Old Torrington Road, Sticklepath Hill and the Cedars roundabout”.

**126. CHAIR'S ANNOUNCEMENTS**

The Chair thanked all members of staff and the Senior Management Team for their hard work and way that they had adapted during the Covid 19 lockdown. He also

thanked Councillors in their role as community leaders in helping their communities during the lockdown.

**127. BUSINESS BROUGHT FORWARD BY OR WITH THE CONSENT OF THE CHAIR**

**(a) Closure of Minor Injuries Units**

The Chair invited Councillor Prowse to address Council regarding the continuing closure of minor injuries units.

Councillor Prowse advised that he had been contacted by former Councillor Edmunds due to concern being raised by the residents of Ilfracombe and Ilfracombe Town Council regarding the continued closure of the minor injuries unit in Ilfracombe and the impact this would have on North Devon District Hospital should it remain closed.

Concern was also expressed regarding the closure of other minor injuries units in the Northern Devon area which would have an impact on residents and tourists.

Councillors Roome and Lovering declared personal interests as employees of the NHS.

Councillor Worden advised that as Leader of the Council he and Councillor Biederman as Chair of the Council would write a letter on behalf of the Council to the Primary Care Trust, Devon County Council, Northern Devon Healthcare Trust and One Northern Devon regarding the continue closure of the minor injuries units at Ilfracome, Lynton and Lynmouth and Bideford. The letter would also be signed by all Group Leaders.

**128. REPLIES TO ANY QUESTIONS SUBMITTED BY THE PUBLIC AND/OR TO RECEIVE PETITIONS UNDER PART 4, COUNCIL PROCEDURES RULES, PARAGRAPHS 8 AND 9 OF THE CONSTITUTION**

There were no questions and/or Petitions submitted by the Public under Part 4, Council Procedure Rules, Paragraphs 8 and 9 of the Constitution.

**129. TO CONSIDER MOTIONS OF WHICH NOTICE HAS BEEN SUBMITTED BY MEMBERS IN ACCORDANCE WITH PART 4, COUNCIL PROCEDURE RULES, PARAGRAPH 11 OF THE CONSTITUTION**

There were no motions of which notice had been submitted by the Members in accordance with Part 4, Council Procedure Rules, Paragraph 11 of the Constitution.

**130. DECLARATIONS OF INTEREST**

The following of declarations of interest were received:

Councillor Bushell	Item 15 (d) – personal and prejudicial as Chair and trustee to the Arts Destination charity
Councillor Davis	Item 15 (b) - personal interest as son was an employee of the Devon Audit Partnership
Councillor Phillips	Item 15 (c) – personal interest as a trustee appointed by Barnstaple Town Council
Councillor Worden	Item 15 (d) – personal interest as he had been attending meetings

Councillor Biederman as Chair gave Councillor Bushell permission to remain in the meeting for item 15 (d), however he would be unable to participate in the vote taken on this matter.

**131. CHAIR'S REPLIES TO ANY QUESTIONS TO COUNCIL BY MEMBERS SUBMITTED UNDER PART 4, COUNCIL PROCEDURES RULES, PARAGRAPH 10 OF THE CONSTITUTION**

There were no questions submitted to Council by Members under Part 4, Council Procedure Rules, Paragraph 10 of the Constitution.

**132. REPORT OF THE LEADER OF THE COUNCIL**

Council noted a report by the Leader of the Council (circulated previously) regarding work that had been undertaken since the last Council meeting.

**133. QUESTIONS BY MEMBERS**

The following questions were submitted in advance of the meeting and responses provided by the Leader were circulated separately:

- (a) Question to Councillor Worden from Councillor Lane “With the Council’s budget deficit increasing....what action does the Leader intend to take to ensure a balanced budget out-turn can be achieved?” Councillor Worden’s response “The new funding announcements made a couple of weeks ago are currently being modelled to update the Council’s latest financial position. We have also last week had confirmation of North Devon’s share of the £500million, which is a further £171,055; taking our overall additional funding up to £1,189,063. The Government also announced a reimbursement of losses on sales, fees and charges; the technical

guidance around this has only just been provided last Friday and the team are building this into our financial modelling; together with the further announcement the Chancellor made of allowing Councils to spread deficits on their taxation income (council tax and business rates) over the next three years; rather than it being a financial burden in this year. The impact of all these recent announcements will be included in our updated July financial return submitted to Government next week and will form the basis for a refreshed Medium Term Financial Plan which we will be looking to bring to members in September. We are in addition lobbying Government for an early indication of future year funding 2021-22 for local authorities so that we can plan for 2021-22 and beyond as some of the measures announced push the cost to the following financial years. We will still be faced with a forecast budget gap, just over a much longer period and not just this year, but the recent funding announcements do provide some breathing space for 2020-21 and time to receive a refreshed Medium Term Financial Plan from our Chief Financial Officer in September for members to approve.”

- (b) Question to Councillor Worden from Councillor Lane “What strategy has the Council adopted going forward to make waste and recycling more financially efficient?” Councillor Worden’s response “We have recently just started to evaluate how we procure our vehicle fleet and have started a project to look at this together with associated changes within the process hall. Both these infrastructure projects are intended to put us in a stronger position to be able to deal with future roll out improvements to the Waste and Recycling service if members are wishing to make such changes. If members support a decision to make further service improvements then there are anticipated financial benefits to be received from such changes. A full business case and report will of course be presented to members to analyse the detail of any such proposals.”
- (c) Question to Councillor Worden from Councillor Yabsley “What planning is in place....given the known position and the latest information from Government....in terms of future budget setting for next year and indeed for the next 3 years?” Councillor Worden’s response “Annual budgets for the following financial year are always brought to Council in February preceding the new financial year. As I have mentioned in my answer to Councillor Lane’s question we are lobbying Government for an early indication of future year funding 2021-22 for local authorities so that we can plan for 2021-22 and beyond as some of the measures announced push the cost to the following financial years. Normally we receive our financial settlement from Government in December for the next financial year; we are pushing for an earlier announcement on this funding stream so that we can plan for 2021-22 and beyond much earlier as Members will no doubt have some big decisions to make about our future financial spend priorities. We do know that we will still be faced with a forecast budget gap, just over a much longer period and

not just this year 2020-21, the recent funding announcements are being modelled and we are looking to bring a refreshed Medium Term Financial Plan from our Chief Financial Officer in September that looks ahead for the next four financial years.”

- (d) Question to Councillor Worden from Councillor Bushell “When the Council started charging again for car parks there were some problems as we weren’t taking cash. Has this situation now been resolved? Would the Leader also kindly inform us how the current car parking income compares to what we were receiving before the coronavirus pandemic!” Councillor Worden’s response “We switched the pay and display machines back on in June, having been off for almost three months, we did experience some teething issues with a couple of the card enabled machines. The rationale behind not accepting cash initially was to protect both our customers and our staff from the need to handle cash in light of Covid-19 and we offered cashless payments on our car parks in the form of either card enabled machines or via the RingGo payment solution. We have re-introduced cash as a payment method in our car parks from the beginning of July however we are still promoting the cashless method as our preferred payment option. Not charging in our car parks for the months of April and May has seen a reduction of around £275,000 per month in loss of income to the Council. We re-introduced charging from mid-June and for the last month 15<sup>th</sup> June to 15<sup>th</sup> July, we have received around £120,000 which is a -55% drop in revenue; (Note: for the June ‘half-month’ period it was a -72% drop on previous year whereas this has improved in the July period to a -35% drop) thus we are starting to see a higher level of car park activity following the 4 July lockdown measures being relaxed, but nowhere near still the pre-Covid 19 levels.”
- (e) Question to Councillor Worden from Councillor Luggar “How do Council Officers assess NDCs Homelessness Strategy?” Councillor Worden’s response “NDC’s latest Homelessness Strategy was adopted in Nov 2019. The statutory base is section 1 of the Homelessness Act 2002. The council is also required to follow the Homelessness Code of guidance for local authorities in preparing this document. Key components of the strategy include an assessment of current and future needs. We look at demand for Temporary Accommodation and also support needs. Our latest strategy was informed by the input of some key local stakeholders (NDH, Police, Freedom, Encompass, Adult Social Care and Mental Health) and a survey of users.”
- (f) Question to Councillor Worden from Councillor Luggar “Does the Council have enough suitably trained and skilled Officers to deal with the increased volume of people presenting as homeless and needing to access our services and if not what is being done to address this?” Councillor Worden’s response “A revised structure was put in place to deliver the Homelessness Reduction Act in April 2017. More

officers were assigned to directly helping our community. Capacity has also been increased as a result of the council drawing down Rough Sleeper Initiative Funding since 2018/19. Our outreach team includes officers from Mental Health and Adult Social Services. Four housing officers have been given the chance to undertake formal qualifications to further enhance their skills in the last few years. The COVID-19 pandemic has had a profound impact on demand notwithstanding the control on evictions put in place by Government. At the start cases came in at a rate of around 25 cases per week. This peaked when 99 new cases were received over a period of 2 weeks. Current demand has stabilised at around 35-40 cases per week. The presenting issues are predominately around relationship/family breakdowns. The statutory code has also been revised to reflect an individual's potential vulnerability to COVID-19. More people will now have a statutory entitlement to support. In the short term more Temporary Accommodation is being procured and some temporary staff contracts will be extended. A more detailed paper will be presented to Senior Management Team in the Autumn."

- (g) Question to Councillor Worden from Councillor Luggar "What does the Council do to assist people to whom it owes prevention and relief duties? And how does the Council monitor how effective these actions are?" Councillor Worden's response "The council is highly effective in preventing homelessness. A wide variety of interventions are used including mediation and the provision of rent in advance/ deposit payments linked to an affordable repayment plan. Absolute and rates of successful prevention activity are tracked overtime and reported to Government quarterly via H-CLIC, the information is publically available."
- (h) Question to Councillor Worden from Councillor Luggar "Does the Council learn lessons from complaints received identifying any systemic issues that may effect others?" Councillor Worden's response "Complaints and requests for formal reviews of the council's decisions are very low. No systemic failings have been identified following investigation of these issues."
- (i) Question to Councillor Worden from Councillor Luggar "How has the Council improved its homelessness services as a result of complaints?" Councillor Worden's response "The Council's officers drive service improvement because of their professionalism and care for our community. The success of the service is directly attributable to the efforts of officers across the council, particularly IT and Estates of late, and our collaboration with statutory and voluntary sector partners."

**134. DEVON COUNTY COUNCIL/NORTH DEVON COUNCIL  
RESPONSE TO THE CLIMATE DECLARATION**

The Chair advised that the Lead Member for Climate Change had given her apologies for the meeting and therefore the item could not be considered. The Chair advised that following a previous decision of Council that in future a written report would be produced by the Lead Member for Climate Change and included on the agenda for consideration.

**135. STATUTORY PAY POLICY 2020**

Council considered a report by the HR Manager (circulated previously) regarding the Statutory Pay Policy 2020.

It was moved by Councillor Biederman and seconded by Councillor Worden that the recommendation in the report be adopted.

RESOLVED that the report, its Appendix and Annex thereto in relation to the Statutory Pay Policy 2020 be approved.

**136. OUTSIDE BODIES**

(a) **Outside Bodies - Report of Appointees**

Council considered and noted the reports from appointees to Outside Bodies (circulated previously).

Council noted that Councillor Hunt advised that reports regarding the outside bodies to which she had been appointed had been submitted and that all future reports include the name of the Councillor appointed to the outside body at the top of the report.

(b) **Devon Audit Partnership: Partnership Committee**

It was moved by Councillor Worden and seconded by Councillor Yabsley "that the Chair and Vice-Chair of the Governance Committee be appointed to the Devon Audit Partnership Committee for the life of Council".

RESOLVED that the Chair and Vice-Chair of the Governance Committee be appointed to the Devon Audit Partnership Committee for the life of Council.

(c) **Trustees of Pilton Charities**

It was moved by Councillor Phillips and seconded by Councillor Hunt "that Mr Allan Cameron be appointed to the Trustees of Pilton Charities for the life of Council".

RESOLVED that Mr Allan Cameron be appointed to the Trustees of Pilton Charities for the life of Council.

(d) **Arts Destination South Molton**

It was moved by Councillor Henderson and seconded by Councillor Roome “that Councillor Worden be appointed to the Arts Destination South Molton for the life of Council”.

RESOLVED that Councillor Worden be appointed to the Arts Destination South Molton for the life of Council.

**137. REPORT BY CHAIR OF GOVERNANCE COMMITTEE**

Council considered and noted the half yearly report by the Chair of Governance Committee (circulated previously).

Councillor Roome advised that the Council had now appointed new Internal Auditors, Devon Audit Partnership, who had attended the first meeting of the Committee on 9 June 2020.

**138. MINUTES OF COMMITTEES**

(a) **Governance Committee**

RESOLVED that the following minutes of the Governance Committee (circulated previously) be noted and adopted as follows:

(i) 10 March 2020

(i) 9 June 2020

(b) **Planning Committee**

RESOLVED that the following minutes of the Planning Committee (circulated previously) be noted and adopted as follows:

(i) 12 February 2020

(i) 11 March 2020

(iii) 10 June 2020

(c) **Strategy and Resources Committee**

RESOLVED that the following minutes of the Strategy and Resources Committee (circulated previously) be noted and adopted as follows:

(i) 2 March 2020

(i) Minute 115 (c): Approval and Release of Section 106 Funds, Kings Nympton

(ii) Minute 118 (b): Acquisition of Corporate

Property

- (ii) 4 May 2020
  - (i) Minute 124 (c): Approval and Release of Section 106 Public Open Space Funds – Chulmleigh and Heasley Mill
  - (ii) Minute 125: Approval and Release of Section 106 Funds, South Molton
- (iii) 1 June
  - (i) Minute 139: Devon Home Choice and Local Lettings Policies
- (iv) 6 July 2020
  - (i) Minute 151: Approval and Release of Section 106 Conservation Area Fund for Fremington Quay Wall Repair Project Phase 1
  - (ii) Minute 152: Approval and Release of Section 106 Public Open Space Fund, Kings Nympton

Chair

The meeting ended at 7.36 pm

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