



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 Virtual - Online meeting on **WEDNESDAY, 24TH FEBRUARY, 2021 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**

1. Virtual meetings procedure - briefing and etiquette  
Chair to report.
2. Apologies for absence
3. To approve as a correct record the minutes of the meeting held on 13 January 2021 (attached) (Pages 13 - 20)
4. Chair's announcements
5. Business brought forward by or with the consent of the Chair
6. 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
7. To consider motions of which notice has been submitted by Members in accordance with Part 4, Council Procedure Rules, Paragraph 11 of the Constitution
  - (a) To consider the following notice of motion received by Councillor Worden

This Council notes that ...

The government published the provisional local government finance settlement for 2021-22 on 17 December 2020. As has become common practice, the focus was placed on “**Core Spending Power**” – the sum of eight funding streams from central Government, plus **an assumed level of income from Council Tax**.

Core Spending Power (CSP) nationally **will increase by 4.5% overall, but this largely consists of increases in the assumed level of income from council tax**. 87% of the increase in CSP comes from the ability to raise council tax, compared to 56% of the increase in CSP in 2020-21. The Government is increasingly relying on council tax increases. The increase in Government-funded Core Spending Power includes a new (but one-off) Lower-Tier Services Grant of £111 million nationally. Without this grant, a number of Councils like North Devon would be faced with a nominal reduction in Core Spending Power.

Since 2011 the Government has used a system of classifying local authorities into one of six groups that reflect their mix of urban & rural populations. North Devon has been classified as Largely Rural.

Analysis by the Rural Services Network shows that **the local authorities serving predominantly urban areas receive a much higher level of central funding than those serving predominantly rural areas;**

- Residents in rural Devon are paying £138 per head more in Council Tax.
- Get £120 per head less from Settlement Funding Assessment
- Get £28 per head of Social Care Grant, compared to £32 per head in urban areas
- Get £113 per head less in Government Funded Spending Power, which excludes Council Tax.

The Government in 2012/13 recognised that this situation was unfair on residents in rural areas but the gap in what local government receives between rural and urban has grown even wider since.

This council expresses its concern at the impact of the concentration of cuts in public spending by national government is having on local government finance and the over-reliance on continually increasing council tax.

This council resolves to

1. To support the Rural Services Network in asking the government that the funding to rural authorities be increased to provide fairness for rural residents.
2. To lobby the government ourselves to request that the gap in funding between urban and rural be rectified as services in rural areas actually cost more to provide because of the sparsity of the population and the distances which need to be covered e.g. in collecting waste and recycling.
3. Call on the chancellor to give more clarity about future longer term funding and to remove the uncertainty surrounding New Homes Bonus and other incentive schemes.
4. Ask our officers to work with Devon County to update the map produced by the Institute of Fiscal Studies which may be used by government concerning the levelling up agenda which currently does not reflect the

reality of the deprivation in many parts of North Devon.

(b) To consider the following notice of motion received by Councillor Topham

This Council notes that:

1. Carers – paid and unpaid, young and old – do a remarkable and important job. They are an integral part of our North Devon community. They deserve our support, but are far too often forgotten and ignored.
2. Carers in North Devon and across the country face big challenges every single day; challenges that have been made even harder by the COVID-19 pandemic. Most are having to spend more time looking after loved ones during the pandemic; most haven't been able to take a single break since it started; and most are simply exhausted.
3. Situations provoking care interventions can happen with little warning. Often those giving care have to reduce their working hours or give up work to juggle competing demands.
4. The pressures on young carers can negatively impact on their experiences and outcomes in education, having a lasting effect on their life chances.
5. Many carers are unaware of their entitlement to financial support, a carers assessment or break, and the support services available.

Council further notes that:

1. According to the DWP statistics 1226 full-time unpaid carers in North Devon rely on Carer's Allowance with 691 who are entitled to the allowance are current not receiving it at all.
2. At just £67.25 a week, Carer's Allowance is the lowest benefit of its kind.
3. In response to the Covid-19 pandemic, the Government increased the Universal Credit standard allowance and the Working Tax Credit basic element by £20 a week above the planned uprating in April 2020, but it has not increased Carer's Allowance.
4. Many unpaid carers are facing extreme financial hardship. A recent survey by Carers UK found that more than a third of those on Carer's Allowance are struggling to make ends meet. Many have been struggling for months, often relying on foodbanks to feed themselves and the people they care for.
5. The Carers UK survey found that "43 per cent of carers felt that a rise in Carer's Allowance would help them, given the financial pressures they are facing."

Council resolves to:

1. Write to the Chancellor of the Exchequer and the Secretary of State for Work and Pensions, urging them to raise Carer's Allowance by £20 a week immediately, in line with the increase in Universal Credit, and copy in our local MP, asking for her support.

(c) To consider the following notice of motion received by Councillor Biederman

"This Council notes the impact of dog fouling on our communities, from those who fail to act responsibly by not picking up their dogs' mess or once picked up, not disposing properly of the bag.

Despite the fantastic work done by our small but dedicated wardens to raise awareness, educate and enforce, there is a significant minority who fail to respect the rules and community by doing the right thing.

Our Council has a positive attitude towards dogs because of the strong contribution they make to our mental and physical health, and our local economy. We witness the huge Staycation movement which advertises our area as "dog friendly" and we need to be pro-active about the provision we create, the standards we expect and the efforts we make to support responsible ownership.

A Litter Strategy has been accepted so we propose that we have a dedicated Dog Strategy for NDC.

This strategy would:

- Delegate authority to more people to enforce positive behaviour eg. Town and Parish Council staff, National Trust and Park Rangers and other NDC staff like parking wardens.
- Provide more training such as Community Safety Accreditation Scheme to staff to be able to issue on the spot penalty notices.
- Invest in preventative and investigative equipment to gather evidence.
- Work with tourism operators to be pro-active in informing visitors with dogs to North Devon on good practice.
- Use education as a tool to facilitate our aims within our communities.
- Encompass any aspect of dog control of which the council approves."

(d) To consider the following notice of motion received by Councillor Leaver

"The council has taken the first laudable step in setting up the Climate Action Team, following the declaration of a Climate and Ecological Emergency. Now we need to embed this work, so that it becomes part of business as usual across the council. Climate Change is such an important issue it now needs to be dealt with as a committee that has a focus on this vital work.

All the main national parties in the UK have committed to tackling Climate Change, and our job at district council level is to deliver at a local level.

The urgency of the problems and actions we need to take means the council has to give the relevance and status of a committee. To do less would belittle the gravity of the problems we face here in North Devon, and across the planet.

Council therefore resolves:

1. To amend the constitution to establish a politically balanced Climate Emergency Committee of 10 members, with responsibility to develop and deliver corporate strategies and plans to tackle climate change in line with the council's Climate and Ecological Emergency Declaration, and relevant corporate priorities.
2. That the Climate Lead Member role is replaced with the role of Chair of the Climate Emergency Committee
3. Allocation of senior and operational staff capacity to resource the Climate Change Committee
4. Allocation of £10,000 in the 2021/22 budget to the Climate Change Committee from corporate underspends in the current council year to resource the work necessary to support the delivery of Climate and Ecological Emergency Declaration and corporate priorities."

8. Declarations of Interest

**(NB. Members only need to re-declare any interests previously declared at Committee and Sub-Committee meetings if the item is discussed at Council).**

9. Chair's replies to any questions to Council by Members submitted under Part 4, Council Procedures Rules, Paragraph 10 of the Constitution

(a) To consider the following question submitted by Councillor Luggar

"Can North Devon Council please consider being the lead on a formal bid to the Department of Transport (DfT) for funding from the Restoring our Railways project for the Taw Link. The speculative bid last year was warmly received and while not initially successful we have a very strong chance of being awarded funding to allow us to do engineering and economic feasibility studies. This will allow us to be in a position to make the full business case at a later date."

(b) To consider the following question submitted by Councillor Walker

"During discussions regarding moving more of the council contact services online, we as councillors were assured they would also be available offline. I have been made aware, by a ward member, that they tried to renew their parking permit recently and were told "they had to do this online and there is no other option". I queried this with the head of service and was told this was correct.

In my ward, as with many in North Devon, we have an older demographic. Many have little of no computer skills, some have no interest in the internet and have no internet access.

Please could we have assurance that there will be an offline method to do everything so we are not discriminating against those who are not computer

literate and/or have no access to the internet?"

10. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

## **PART A**

11. **Report of the Leader of the Council** (Pages 21 - 24)  
Report by Leader of the Council (attached).
12. **Questions by Members**  
Questions to the Leader or the Chair of a Committee submitted under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.
13. **Performance and Financial Management Quarter 3 of 2020/21** (Pages 25 - 56)  
(NOTE: A copy of the report that was considered by the Strategy and Resources Committee on 1 February 2021 is attached).
  - (a) Report of the Policy Development Committee  
To receive the report of the Policy Development Committee held on 11 February 2021 (to follow)
  - (b) Report of meeting of the Strategy and Resources Committee (Pages 57 - 58)  
To receive the report of the meeting of the Strategy and Resources Committee held on 1 February 2021 (attached).
14. **Review of Charges and Fees for 2021/22** (Pages 59 - 116)  
(NOTE: A copy of the report that was considered by the Strategy and Resources Committee on 1 February 2021 is attached).
  - (a) Pannier Market Traders Committee consultation response (Pages 117 - 118)  
To receive the Pannier Market Traders Committee consultation response (attached).
  - (b) Report of meeting of Harbour Board (Pages 119 - 120)  
To receive the report of the meeting of the Harbour Board held on 17 November 2020 (attached).
  - (c) Report of the Policy Development Committee  
To receive the report of the Policy Development Committee held on 11 February 2021 (to follow).

- (d) Report of meeting of the Strategy and Resources Committee (Pages 121 - 122)

To receive the report of the meeting of the Strategy and Resources Committee held on 1 February 2021 (attached).

15. **Revenue Budget 2021/22, Capital Programme and Medium Term Financial Strategy 2021-2025** (Pages 123 - 210)

Budget Book 2021/22 (attached). (NOTE: A copy of the report that was considered by the Strategy and Resources Committee on 1 February 2021 is attached).

- (a) Report of the Policy Development Committee

To receive the report of the Policy Development Committee held on 11 February 2021 (to follow).

- (b) Report of meeting of the Strategy and Resources Committee (Pages 211 - 212)

To receive the report of the meeting of the Strategy and Resources Committee held on 1 February 2021 (attached).

16. **Treasury Management Strategy Statement 2021/22** (Pages 213 - 254)

Report by Head of Resources (attached).

- (a) Report of the Policy Development Committee

To receive the report of the Policy Development Committee held on 11 February 2021 (to follow).

- (b) Report of meeting of the Strategy and Resources Committee (Pages 255 - 256)

To receive the report of the meeting of the Strategy and Resources Committee held on 1 February 2021 (attached).

17. **10 Year Capital Strategy 2021-2031** (Pages 257 - 266)

(NOTE: A copy of the report that was considered by the Strategy and Resources Committee held on 1 February 2021 is attached).

- (a) Report by the Policy Development Committee

To receive the report of the Policy Development Committee held on 11 February 2021 (to follow).

- (b) Report of meeting of the Strategy and Resources Committee (Pages 267 - 268)

To receive the report of the Strategy and Resources Committee held on 11

February 2021 (attached).

18. **Council Tax Resolutions 2021/22** (Pages 269 - 278)  
Report by Head of Resources (attached).
19. **Devon County Council/North Devon Council response to the Climate Declaration** (Pages 279 - 280)  
Report by Lead Member for Climate Change (attached).
20. **Minutes of Committees**  
Council is recommended to note the schedule of Committee minutes and approve recommendations as listed below:
  - (a) Governance Committee (Pages 281 - 288)
    - (i) 12 January 2021
  - (b) Harbour Board (Pages 289 - 296)
    - (i) 2 February 2021
  - (c) Planning Committee (Pages 297 - 304)
    - (i) 13 January 2021
    - (ii) 20 January 2021
  - (d) Policy Development Committee (Pages 305 - 318)
    - (i) 7 January 2021
    - (ii) 11 February 2021 (to follow).
  - (e) Strategy and Resources Committee (Pages 319 - 338)
    - (i) 1 February 2021

(A) Minute 261(b): Oxford Park Play Area, Ilfracombe

**PART B (CONFIDENTIAL RESTRICTED INFORMATION)**

Nil.

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

16.02.21

## **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. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded 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 and a reminder will be issued at the commencement of virtual meetings.
2. The Chairman 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 filming should leave the room ensuring all recording equipment is switched off. In a virtual meeting the public will be excluded from the meeting while in Part B.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity. Public contributions to virtual meetings will be recorded, unless, at the Chair's discretion, recording is deemed inappropriate in accordance with point 2 above.
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**.

## **Meeting Etiquette Reminder for Members**

Members are reminded to:

- Join the meeting at least 10-15 minutes prior to the commencement to ensure that the meeting starts on time.
- Behave as you would in a formal committee setting.
- Address Councillors and officers by their full names.
- Do not have Members of your household in the same room.
- Be aware of what is in screen shot.
- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.
- The only person on video will be the Chair and the one other person speaking.

### **Virtual attendance by members of the public**

If members of the public wish to attend virtually, please contact Corporate and Community services on 01271 388253 or [memberservices@northdevon.gov.uk](mailto:memberservices@northdevon.gov.uk) by 12pm on the Monday preceding the meeting.