



Public Document Pack

North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

K. Miles
Chief Executive.

STRATEGY AND RESOURCES COMMITTEE

A meeting of the Strategy and Resources Committee will be held as a Virtual – Online meeting on **MONDAY, 5TH OCTOBER, 2020 at 10.00 am.**

Members of the Strategy and Resources Councillor Worden (Chair)
Committee

Councillors Barker, Leaver, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

AGENDA

1. Virtual meeting 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 1 September 2020 (attached) subject to the following correction being included in minute 173 (b): (Pages 5 - 14)
“The Emergency Planning Officer had previously informed the Committee that there was no weather warning in force prior to the flooding. She had since realised that this was incorrect and the record should read that there was a Met Office yellow weather warning for thunderstorms issued on Monday 17th August 2020 but this covered many parts of England. There was no weather warning that specifically identified Barnstaple/North Devon as high risk and due to the uncertainty in the forecast it was not possible to predict what areas would be impacted, so this would not have changed our response to the flooding.”
4. Items brought forward which in the opinion of the Chair should be considered by the meeting as a matter of urgency.
5. Declarations of Interests.
(Please telephone the Corporate and Community Services team to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).
6. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

7. **Batsworthy Cross Windfarm** (Pages 15 - 18)
Report by Service Lead Environmental Protection (attached).
8. **Funding for Victims of Barnstaple Flooding** (Pages 19 - 22)
Report by Public Protection Manager (attached).
9. **Amended Air Quality Supplementary Planning Document** (Pages 23 - 28)
Report by Head of Place (attached)
10. **Extend Royal Mail contract** (Pages 29 - 32)
Report by Customer and Corporate Communications Manager (attached)
11. **Leisure Contract Payments** (Pages 33 - 36)
Report by Contract Delivery Manager (attached)
12. **Urgent Decisions Taken by the Chief Executive** (Pages 37 - 40)
To note the urgent decision that has been made by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (attached).

PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

25.09.20



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**.

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Virtual - Online meeting on Tuesday, 1st September, 2020 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

Councillors Leaver, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

Officers:

Chief Executive, Accountancy Services Manager, Regeneration Manager, Project and Procurement Officer and Emergency Planning Officer

Also Present:

Councillors Biederman, Gubb, Knight, D. Spear, Tucker and York

170. VIRTUAL MEETING PROCEDURE - BRIEFING AND ETIQUETTE

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

The Corporate and Community Services Officer confirmed the Members of the Committee who were present.

171. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

172. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 3 AUGUST 2020 (ATTACHED).

RESOLVED that the minutes of the meeting held on 3rd August 2020 be recorded as correct with the following amendment to minute 161, second sentence, of the fourth bullet point, as follows:

- It could be perceived, by the public, that set targets of greater than ten years would be assumed as not going to happen or be met

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

(a) Former Councillors David Spear and Frank Purcell

The Chair asked those present for a minutes silence to reflect on former

Councillors, David Spear and Frank Purcell, who had sadly passed away recently.

(b) Flooding in Barnstaple 17th August 2020

The Chair welcomed Alex Miles to the meeting, Emergency Planning Officer, North Devon Council, for an overview and update on the flooding incident which happened in Barnstaple on 17th August 2020.

The Emergency Planning Officer gave the Committee the following overview and update:

- On 17th August 2020 Barnstaple experienced an unprecedented amount of rainfall over a short period of time. This amount of water overwhelmed the local drainage system. The surface water was unable to drain away which subsequently led to the flash floods across Barnstaple town centre and surrounding areas.
- The event was totally unexpected and had not allowed enough time for North Devon Council to trigger its emergency plan strategy. No weather warning had been issued by the Met office and the flood risk was considered to be low.
- The first multi-agency meeting was called at 18:30 hours at which point the flooding was declared a critical incident by the Police.
- Multi-agency meetings continued throughout the evening and were stood down at 21:00 hours.
- Despite the CCTV offices having been flooded the standby team were still able to provide support
- The Housing team were put on alert early on in the evening to assist, if required, with the provision of temporary accommodation. To date four households had been placed in temporary accommodation due to damage to their properties as a result of the flooding.
- As the Local Authority leading on the situation a Recovery Coordination Group (RCG) was set up to act as a strategic decision making body to assist with the recovery phase. The purpose of the RCG was to ensure the interests of each stakeholder was represented and the aim was to build public confidence in actions taken through strong leadership.
- Other members of the RCG included Barnstaple Town Council, One Northern Devon, ward Members for the affected areas and North Devon Homes.
- The flood risk management team at Devon County Council would be carrying out a section 19 report under the Flood and Water Management Act 2010, which would identify any short or long term actions needed and would be presented to the relevant bodies for consideration.
- The Works and Recycling teams had made extra collections of water damaged goods collecting on Saturdays to help support the local community.
- Updates and links to support and help were on the Council's website and posted on social media channels.

- Volunteers had spent evenings and weekends dropping leaflets through the letterboxes of properties in the affected areas urging them to report damage suffered, those reports were to be made online using the website Fort.
- The Council had linked up with Devon Communities Together who would be providing local community support by drafting an emergency plan through workshops and forums available on their website.
- Once the draft plan had been completed the community would then be eligible to apply for funding to purchase items such as walkie-talkies, high-vis clothing or sandbags. Or the money could be used for a one off small scale work such as gully clearance, if the land owner could not be identified.
- Other community engagement opportunities were being explored in partnership with the Environment Agency to help local communities understand flood risks in their area and support them in identifying ways in which they could reduce those risks.
- It was recommended to signpost members of the community, affected by the flooding, to the Devon County Council website where there was a link to the Flood Online Reporting Tool (FORT). This link could also be found on the Council's website.

The Emergency Planning Officer confirmed the Section 19 report would be made available to Members for their consideration.

The Chair invited Councillor Biederman to address the Committee. Councillor Biederman expressed his concern that it took the emergency services too long to declare a critical incident. He asked if the roads to the affected areas should not have been closed as the movement of traffic caused waves of water to enter nearby buildings and making the situation worse. The Emergency Planning Officer replied that this idea would be fed back to the Devon County Highways team.

Councillor Leaver addressed the Committee to request that in an event such as this could the Ward members of affected areas be made aware of the incident.

The Chair remarked at the speed of the clean up as he had visited the town the next day. He went on to encourage Devon County Council to revisit their cleaning schedule as some drains had not been cleared for three years.

Councillor Leaver requested that parking arrangements be made easier for contractors who were now working on the affected properties but having difficulties obtaining parking permits for the residential streets they were working in, as each individual van had to have its own permit and this was time consuming and frustrating when the contractors were visiting more than one property. The Emergency Planning Officer responded that this would be taken back to Devon County Council as a lesson learnt. There would be a debrief and evaluation session which would help with future responses. The Head of Environmental Health and

Housing was in discussion with Devon County Council on the matter of any available funding for those householders who did not have insurance.

174. DECLARATIONS OF INTERESTS.

There were no declarations of interest announced.

175. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2020/21

The Committee considered a report by the Head of Resources (circulated previously) regarding the Performance and Financial Management Quarter 1 of 2020/21.

The Accountancy Services Manager highlighted the following:

- As at 30th June 2020, the latest forecast net budget was £13.765 million with the budget deficit estimated at £385,000. The income streams for the Council had been affected due to the Covid-19 pandemic in quarter 1 and would continue to affect the rest of the financial year. The forecast salary vacancy savings looked to be on target with £194,000 of the £200,000 already identified. Additional outgoing costs incurred, in relation to the Covid-19 situation, were brought about by the need for the provision of temporary accommodation, agency staff to support the Works and Recycling team and supporting the local community. It was anticipated that the recovery of Business Rates and Council Tax would drop, however, none had been reported yet. Deficits of this income could be spread over the next three financial years. The Council had earmarked reserves and a general fund balance to call on to help mitigate economic impact but this would have long term implications for the Council. Appendix A showed the estimated deficit for the year 2019/20. Central Government would be paying 75% of lost income after the Council had incurred the first 5% variance and the technical guidance for this had been received last week. In recognition of the effects of the pandemic the Council was planning to reset its Medium Term Financial Strategy. Regular monitoring would take place with updates reported back to this Committee.
- Appendix B detailed the movements to and from earmarked reserves in 2020/21.
- Appendix C detailed the Strategic Contingency Reserve
- Appendix D detailed the Capital Programme. As at 30th June 2020 the actual spend was £692,000. A revised capital programme had been previously approved by the Strategy and Resources Committee, on 3rd August 2020 this figure was £13,317,267. The overall capital spend programme was from 2020/21 to 2022/23 and stood at £29,544,997.
- Appendix E showed all service plans across the Council which had been authorised or cancelled by the Senior Management Team.

In response to questions, the Accountancy Services Manager advised that:

- In relation to the calculation of the Capital Grants there would be some variations. Income streams had been calculated and he was confident these had been calculated in line with the new guidance and any significant variance to the figures would be reported back to this Committee.
- The deficit figure of £385,000 was accumulated from Heads of Services and budget holders and it was not just based on Quarter 1 but estimated to take account of the whole year.
- The Managers, Budget Holders and Heads of Service had worked with the Head of Resources and with his advice and guidance the forecast figures had been obtained. Managers were not left on their own and there was a consistent approach.
- Normal recovery of Council Tax had not been taking place during the Covid-19 crisis. Having discussed the figures with the Revenues and Benefits Manager these figures were not too different to a previous year. The concern was that this may develop as the year progressed due to the furlough schemes ending and the accumulative effect this may have on the next three years.

In response to a question about claiming lost income and if we had a recovery plan. The Chief Executive replied that we were working with Devon County Council and other Partners on creating our recovery plan and that there was no guidance available on what a recovery plan should look like. The recovery plan would be a living document and reviewed constantly.

RESOLVED:

- (a) That the actions being taken to ensure that performance is at the desired level be noted;
- (b) That the contributions to/from earmarked reserves be approved as detailed in paragraph 4.2 of the report;
- (c) That the movements on the Strategic Contingency Reserve as detailed in paragraph 4.3, be noted;
- (d) That funds are released for the capital schemes detailed in paragraph 4.4.11 of the report;
- (e) That paragraphs 4.5 detailing Treasury Management and paragraphs 4.6 and 4.7 detailing Debt Management be noted;

RECOMMENDED:

- (f) That Council approve the variations to the Capital Programme 2020/21 to 2022/23 as detailed in paragraph 4.4.3.

176. TREASURY MANAGEMENT ANNUAL REPORT 2019/20

The Committee considered a report by the Head of Resources (circulated previously) regarding the Treasury Management Annual Report 2019/20.

The Accountancy Services Manager highlighted the following:

- This report detailed how the Council had performed for the year 2019/20.

- The treasury management strategy was based on the following order; 1) security of funds, 2) liquidity of funds and, 3) the yield and return of investments.
- With current bank rates being very low it was cheaper for us to borrow against our own funds.
- The underlying need to borrow was called the Capital Financing Requirement (CFR). Table 4.2 of the report detailed the Council's actual CFR, which for 2019/20 was £4.746 million, our external borrowing was £1.250 million. We internally borrowed £3.000 million from our internal reserves and balances.
- We started and ended the year with the same external borrowing figure of £1.250 million.
- Table at 4.3 detailed the level of investment made, which was £17.100 million, as at 31st March 2020 this figure netted off was £15.900 million.
- All investments made were short term and were for less than a year and the Council made no material non-treasury investments in property with a view of generating an income stream.
- The Investment Outturn position was shown at paragraph 4.6; and as Chief Financial Officer, Jon Triggs had confirmed that the investment activity for the year 2019/20 conformed to the approved strategy and the Council had no liquidity difficulties.

RECOMMENDED:

- (a) That the annual treasury management report for 2019/20 be noted;
- (b) That the actual 2019/20 prudential and treasury indicators be approved.

177. APPROVAL AND RELEASE OF SECTION 106 PUBLIC OPEN SPACE FUNDS - SOUTH MOLTON AND COMBE MARTIN

The Committee considered a report by the Project, Procurement and Open Space Officer (circulated previously) regarding the Approval and Release of Section 106 Public Open Space Funds – South Molton and Combe Martin.

The Project, Procurement and Open Space Officer highlighted the following:

- South Molton, Rugby Club had to carry out pitch improvement works to two of their three pitches. This was important work to ensure pooling water did not collect on the pitch causing flooding. The work involved sand slitting and dressing of the pitch to allow usage all year round.
- Combe Martin, Football Club project the site was leased to them by Combe Martin Parish Council. There were three phases to this refurbishment project as detailed in paragraph 4.2 of the report. The Club were requesting the funding to help with phase one of the project which involved works to windows, doors and the roof to make water tight.

In response to a question about the use of Section 106 money for maintenance works. The Project, Procurement and Open Space Officer replied that the South Molton project was a mixture of capital and maintenance works and at planning stage the developer was happy for this project to be included and so was eligible.

RESOLVED:

- (a) That £9,001.20 be allocated to South Molton Rugby Club towards the drainage works
- (b) That £10,000 be allocated to Combe Martin Parish Council towards the cost of the clubhouse refurbishment at Combe Martin Football Club.

RECOMMENDED:

- (c) That the capital programme be varied by £19,001.20 and that funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed by the Senior Solicitor, for external projects.

178. URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

The Committee noted the urgent decisions that had been made by the Chief Executive in accordance with paragraph 3.48, Annex 2, Part 3 of the Constitution (circulated previously), regarding grant payment of £40,000 to Parkwood Leisure to cover losses experienced in the month of May 2020 due to Covid-19.

179. SEVEN BRETHERN - AGREEING A WAY FORWARD

The Committee considered a report by the Head of Place and the Regeneration Manager (circulated previously) regarding Seven Brethren – Agreeing a Way Forward.

The Regeneration Manager highlighted the following:

- In November 2017 North Devon Council were awarded £2.2 million of Land Release Funds to bring forward 245 residential units on Seven Brethren, Barnstaple. £1 million of this was to go towards junction improvements and £1.2 million towards flood defences.
- The Land Release Fund (LRF) was a Government initiative set up to assist in unlocking sites and accelerating development of housing. The Local Government Association (LGA) were the Fund administrators and they were expecting the land to be released for housing no later than December 2020.
- Securing a Delivery Partner was one of the definitions of land release.
- In August 2018 it was agreed to use the Homes England delivery partner panel to secure a delivery partner for this site. A detailed procurement process was undertaken.

- In November 2019 we became aware that we were unlikely to be successful. A request to seek a further procurement process was sought at committee in November 2019.
- In early 2020 just prior to the Covid-19 pandemic North Devon Council was about to resume a procurement process for a delivery partner, not using the Home England's panel.
- Discussions were underway with LGA, who were aware of the difficulties presented by the Covid-19 crisis, to extend the deadline from December 2020.
- As part of the scheme any delivery partner would have to demolish the existing Leisure Centre building.
- Advice had since been received on the reasons for the unsuccessful bid and the attractiveness of the Seven Brethren site for development.
- There was no guarantee a delivery partner would be found but North Devon Council should continue to exhaust all options to secure a delivery partner and if unsuccessful the funding could always be returned.

The Regeneration Manager confirmed she was happy to seek the extension date of March 2021 and discussions were already underway and that the requirement for environmental considerations could be made part of the build specifications.

The Regeneration Manager gave the following responses to questions from the Committee:

- The LGA administer the funds on behalf of the Government
- Homes England no longer had any involvement in the Seven Brethren site.
- A land agent would need to be appointed to help with selecting an appropriate delivery partner.
- The illustrative masterplan for this site indicated that 245 units was not feasible with 227 being a more realistic number and at this stage in the process it was too early to be looking at housing need

RECOMMENDED:

- (a) That submission of a planning application be made and procure a delivery partner for residential development on the Seven Brethren site, with the following amendments:
 - (I) To formally request an extension to March 2021 from the LGA; and
 - (II) That the building standards include provisions to future proof the buildings in respect of the proposed carbon neutral aspirations set out in the North Devon Council Environmental Policy 2020.

180. **BATSWORTHY NOISE COMPLIANCE ISSUES UPDATE**

Agenda Item 3

Strategy and Resources Committee - 1 September 2020

The Chief Executive advised the Committee that the Head of Environmental Health and Housing was unavailable and, therefore, the item had to be deferred to the next meeting.

Chair

The meeting ended at 11.42 am

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

This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES COMMITTEE

Date: 5th October 2020

TOPIC: BATSWORTHY CROSS WINDFARM

REPORT BY: SERVICE LEAD - ENVIRONMENTAL PROTECTION

1. INTRODUCTION

1.1 This paper seeks to update the Strategy and Resources Committee on the current status of the Council's regulation of the noise related planning conditions associated with Batsworthy Cross Windfarm.

This is a follow up report to a paper which was considered by this Committee on the 6th January 2020.

2. RECOMMENDATIONS

2.1 It is RECOMMENDED that the Strategy and Resources Committee notes the current position.

3. REASONS FOR RECOMMENDATIONS

3.1 To provide the Committee with confidence that the process of regulating Batsworthy Cross Windfarm is transparent and happening as efficiently as possible.

4. REPORT

4.1 Noise compliance monitoring at six locations close to Batsworthy Cross Windfarm has confirmed compliance with the noise related planning conditions at five of these six locations.

4.2 Exceedance of the noise limits in the sixth location has previously been confirmed.

4.3 The Council has previously advised the operator of this situation and requested the following information be provided:

- Details of a proposed further mitigation strategy for properties in the vicinity of Birchwood House;

- A statement of the turbine operating parameters relating to the 2016-17 and 2018-19 surveys.
- 4.4 The Operator has since made further representations to Officers' - concerning certain aspects of the meteorological data used in the noise assessments to date.
 - 4.5 These representations confirmed that The Operator was not contesting the outcome of the assessments to date - but that the use of an alternative wind speed reference location to that already used, ought to be given further consideration.
 - 4.6 Officers' previously advised Members that the position would need to be reviewed – taking into account advice from The Council's acoustic consultant concerning this representation - and that internal legal opinion would be required to determine an appropriate way to proceed.
 - 4.7 Having reviewed the representation received, The Council's acoustic consultant has concluded that the wording of the planning condition does not allow The Operator to utilise an alternative wind speed location at this time.
 - 4.8 Internal legal opinion agrees with the view of The Council's acoustic consultant at this time.
 - 4.9 Officers' advised The Operator of this position on Wednesday 16th September 2020 - asking them again to submit the information identified in section 4.3 of this report, within 30 days of the request having being made.
 - 4.10 The Community were advised of this latest position on the same date.
 - 4.11 Officers' will provide a further update to Committee following consideration of the requested data.

5. RESOURCE IMPLICATIONS

- 5.1 This development will necessitate further investment in the regulation of this consent which cannot be quantified at this time.

6. CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3	Delegated
Annexe 1	

7. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of the 1972 Local Government Act.

8. BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

Batsworthy Cross Windfarm. Report to Strategy & Resources Committee
6th January 2020.

Agenda for the Special Overview & Scrutiny Committee, Thursday,
7th March, 2019.

Batsworthy Cross Windfarm. Report to Strategy & Resources Committee
2019.

The background papers are available for inspection and kept by the author of the report.

9. STATEMENT OF INTERNAL ADVICE

9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: Andy Cole; Service Lead Environmental Protection
Date: 15th September 2020
Reference: Strategy & Resources Committee 5th October 2020 Batsworthy
Cross Windfarm

This page is intentionally left blank



NORTH DEVON COUNCIL

REPORT TO: STRATEGY AND RESOURCES COMMITTEE

Date: 5 October 2020

TOPIC: FUNDING FOR VICTIMS OF BARNSTAPLE FLOODS

REPORT BY: PUBLIC PROTECTION MANAGER

1 INTRODUCTION

- 1.1 This report seeks member's consideration of whether financial assistance should be provided to victims of the flash flooding which occurred in Barnstaple on the 17 August 2020. Consideration is sought in particular regarding whether part of the Covid-19 Hardship Funding should be utilised, and if so what funding structure should be put in place.

2 RECOMMENDATIONS

- 2.1 Members determine whether funding be provided to the victims of the flash floods which occurred in Barnstaple on the 17 August 2020, and determine an appropriate funding structure.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The floods which occurred in Barnstaple on the 17 August 2020 were of a significant level and impact, as such it will be prudent for the Council to consider the provision of funds to assist those impacted.
- 3.2 The determination of funding is not a decision appropriate for the Recovery Co-Ordinating Group (RCG) which was set up as a strategic decision making body for the recovery phase of the Barnstaple Floods, and thus a decision of the Strategy and Resources Committee is necessary.

4 REPORT

- 4.1 Following the flash floods occurring in Barnstaple on the 17 August 2020 a RCG was specifically set up to facilitate the effective recovery from the 2020 Barnstaple flooding and to:
- 4.1.1. Give the broad overview and represent each stakeholders interests and statutory responsibilities.
- 4.1.2 Provide visible and strong leadership during the recovery phase

Agenda Item 8

- 4.1.3 Take advice from the Sub-Groups, decide the strategy and ensure implementation of the strategy and the re-building of public confidence.
- 4.1.4 Ensure the co-ordination and delivery of consistent messages to the public and media.
- 4.2 In pre-empting the necessity to make a decision with respect of funding to the victims of the floods, the RCG was asked to provide comment on a suggested addition to the existing NDC Covid-19 Hardship Policy to support householders who were flooded in Barnstaple on the 17 August 2020 as follows:
 - 4.2.1 *2 levels of grant to be provided.*
 - 4.2.2 *£500 in cases where households have incurred significant loss of personal possessions and or damage to property or furnishings, and do not have sufficient resources to replace lost items and or pay for repairs/ refurbishment.*
 - 4.2.3 *£1000 in cases as above, but where there is also an immediate health and wellbeing risk. The money can be used to provide any measures which will ensure the health, safety and welfare of the occupants.*
 - 4.2.4 *The grants will be provided by One Barnstaple and NDH Housing officers, who will act as 'trusted assessors' for this part of the policy.*
 - 4.2.5 *Up to £30k of the pot will be allocated for these two grants. A household will be entitled to one grant.*
 - 4.2.6 *The assistance contained within this policy is only available subject to the availability of funding.*
- 4.3 Feedback from the group was generally positive, in that any amendment to the policy would significantly help those worst hit in Barnstaple. Comments reaffirmed the need to keep any scheme simple.
- 4.4 There was a view that caution should be expressed as it may be that the Council would not be able to support flood victims to the future in a similar way, and that the Council's distancing itself from the allocation of funds was sensible.
- 4.5 Members must be mindful that utilising funding for this purpose will reduce funding for Covid response.
- 4.6 Members must be mindful that this fund would be available solely to householders, and not to businesses impacted.
- 5 RESOURCE IMPLICATIONS
 - 5.1 There are financial implications included in the main body of this report, namely the potential reduction in funding for Covid-19 response. Human resource implications of advising members of the public regarding provision of funding is proposed to be met within existing resources. The draft amendment to the policy as outlined includes assessors who are not employed directly by the Council.

- 5.2 The purpose of the DCC fund is to ensure that people and families whose economic circumstances are most impacted by Covid-19 can be supported through the pandemic and helped to regain their financial independence.
- 5.3 North Devon Council have received Covid-19 Hardship Support funding of £131,581 from DCC, for which DCC confirmed: “For this portion, your own local policy can determine eligibility in order to respond to local circumstances. So it is at your discretion to use some for hardship caused by flooding and in view of these exceptional circumstances, DCC would support use of the funds for this purpose.”
- 5.4 Of the above funding received, the Council has spent around £39,000 to date; leaving a current balance of £92,000 remaining. The funding is for Covid-19 Hardship Support and members need to be mindful and consider as part of their decision making, the ongoing support needed to individuals and families whose economic circumstances are most impacted through the coming months of the ongoing pandemic.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3, Annexe 1.1 (d)	Delegated

7 STATEMENT OF CONFIDENTIALITY

- 7.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

8 BACKGROUND PAPERS

- 8.1 The following background papers were used in the preparation of this report:

NDC Covid-19 Hardship Policy

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

- 9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Author: Katy Nicholls

Date: 23/09/2020

This page is intentionally left blank

REPORT TO: STRATEGY AND RESOURCES COMMITTEE

Date: 5TH OCTOBER 2020

**TOPIC: AMENDED AIR QUALITY SUPPLEMENTARY
PLANNING DOCUMENT**

REPORT BY: HEAD OF PLACE

1 INTRODUCTION

1.1 The Air Quality Supplementary Planning Document (SPD) was adopted at Strategy and Resources Committee on 1st June 2020. As it supplements the joint Local Plan, it was always intended that it would need to be adopted by Torridge DC as well. It is scheduled to be taken to Torridge's Council meeting on 5th October for it to be adopted.

1.2 Subsequent to its adoption in North Devon in June, Natural England has provided the Council with positive feedback.

"I'm getting a lot of positive feedback nationally for you guys having adopted this guidance – I think you are the first nationally to do so and hopefully others will follow suit. I've also informed DEFRA who are looking to potentially beef up ... the NPPF at some point in the future."

1.3 However, Natural England has also identified a minor inconsistency with the advice being provided and the need for clarification, despite the original wording being what they had requested. They are now recommending minor changes to paragraph 7.5, which relates to the circumstances whereby a SCAL assessment is required for agricultural development in order to address potential air quality impacts arising from ammonia. The proposed wording changes to paragraph 7.5 are set out in Appendix A.

1.4 The version of this SPD being recommended for adoption by Torridge DC incorporates this new advice. To reflect the latest advice from Natural England and to ensure consistent guidance and procedures to be provided by both districts to supplement relevant policies in the joint Local Plan, it is proposed that an amended version of the SPD is adopted which incorporates these proposed wording changes, as set out in Appendix A.

2 RECOMMENDATIONS

2.1 That the SPD is readopted to include the proposed wording changes set out in Appendix A.

2.2 That the amended SPD is treated as a material consideration in determining relevant planning applications.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To reflect the latest advice from Natural England and to ensure policy guidance consistent with that being provided by Torridge DC.

4 REPORT

- 4.1 Supplementary Planning Documents provide additional detail for relevant policies in the NDTLP in order to provide guidance for developers and local communities as to how policies will be interpreted and what is required to satisfy policy requirements. Once adopted an SPD becomes a material consideration in planning decisions and planning appeals and will be used by the Councils in decision making when considering relevant forms of development. SPDs will also assist with the policies being applied consistently.
- 4.2 Whilst SPDs supplement policies within the NDTLP, they cannot create new policies. The proposed wording changes shown in Appendix A do not change policy at all; they change guidance only slightly from that in the previous SPD. The original SPD (adopted June 2020) can be viewed in full on the Council's website <http://www.northdevon.gov.uk/council/strategies-plans-and-policies/environment-and-planning-policies/local-plan/supplementary-planning-documents-spd/> .
- 4.3 The proposed use of the SSSI Impact Risk Zone (IRZ) if they are within a maximum of 10 kilometres of a European protected site or 5 kilometres of a Site of Special Scientific Interest is less onerous than the previous standardised requirement within a maximum of 10 kilometres of a European protected site or 5 kilometres of a SSSI.
- 4.4 With formal SCAIL assessments required on fewer occasions, the resultant benefits when they are no longer required are:
- a) Cost savings for the applicants in not having to get them prepared;
 - b) Time savings for the case officer, consultees and the Planning Committee in not having to consider them;
 - c) Time savings for Natural England who would have had to consider them formally and advise of any mitigation requirements.
- 4.5 The footnote link to MAGIC Maps will assist applicants with finding the extent of Impact Risk Zones.
- 4.6 All other parts of the Air Quality SPD remain unchanged, including all the advice relating to Air Quality Impact Assessments arising from traffic generation and demolition and construction works.
- ## **5 RESOURCE IMPLICATIONS**
- 5.1 The cost of adopting this amended SPD, including its publication on the Councils' websites can be met within existing resources.
- 5.2 Avoiding the submission of SCAIL assessment when Natural England advise they are no longer required will help save officer times for those

applications, as well as enabling planning decisions to be taken more quickly.

6 EQUALITY and HUMAN RIGHTS

- 6.1 The policies within the NDTLP were assessed previously in terms of equality issues and there were not considered to be any significant human rights, equality and/or diversity implications arising from the policies within the NDTLP.

7 CONSTITUTIONAL CONTEXT

Article and paragraph	Appendix and paragraph	Referred or delegated power?
Part 3, Annexe 1.1		Referred

8 STATEMENT OF CONFIDENTIALITY

- 8.1 This report contains no confidential material under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

- 9.1 The following background papers have been used in the preparation of this report:-
- ◆ *North Devon and Torridge Local Plan 2011–2031 (adopted October 2018)*
 - ◆ *National Planning Policy Framework (February 2019)*
 - ◆ *Clean Air Strategy (DEFRA, 2019)*
 - ◆ *Air Quality Supplementary Planning Document (adopted June 2020)*
 - ◆ *Air Quality Consultation Statement (June 2020)*

- 9.2 Background papers will be available for inspection and will be kept by the author of this report.

10 STATEMENT OF INTERNAL ADVICE

- 10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Lead Member for Economic Development and Strategic Planning Policy: Cllr Malcolm Prowse

Author: Andrew Austen (Lead Officer Planning Policy)

Date: 10 September 2020

Reference: S&R – 5 October 2020 (AQ SPD)

APPENDIX A – TRACKED CHANGES TO SECTION 7 OF ADOPTED SPD

7 Agricultural Development

7.1 Air quality is affected adversely by ammonia (NH₃), which is harmful both to the natural environment and human health. 87% of ammonia (5) is produced by the agricultural sector with dairy and beef contributing 48% of all agricultural emissions.

7.2 The UK has adopted legally binding international targets to reduce emissions of ammonia by 2020 and 2030. The Clean Air Strategy (6) states that a combination of regulations, permitting and support will be introduced to reduce emissions from livestock accommodation, storing and spreading of manures and application of fertilisers.

7.3 In North Devon and Torridge the levels of ammonia and rates of nitrogen deposition are above those considered to cause loss of species and habitat damage on sites such as Braunton Burrows and the Culm Grasslands.

7.4 Potential adverse impacts on air quality are most likely to arise from:

- a) an agricultural building to house livestock (primarily beef and dairy cattle, pigs or poultry); and/or
- b) any new or expanded pit, tank or lagoon for storing slurry; and/or
- c) any anaerobic digester with combustion plant; and/or
- d) any anaerobic digester without combustion plant.

7.5 Depending on the proposed proximity to either a European Protected Site or a Site of Special Scientific Interest, a planning application for the above may need to be accompanied by an Air Quality Impact Assessment (AQIA). Whether or not an assessment needs to be undertaken in response to proximity to SSSIs or European Designated Sites can be established by consulting the SSSI Impact Risk Zone (IRZ) layer on MAGIC ⁽⁷⁾. This assessment must include, as a minimum, a Simple Calculation of Atmospheric Impact Limits (SCAIL) assessment. For development of the types set out in a), b) and c), this applies only the need for a SCAIL assessment will only apply if they are within a maximum of 10 kilometres of a European protected site or 5km of a Site of Special Scientific Interest; and for d) if they are within 500 metres of either.

7.6 If a SCAIL assessment is required with an application, Natural England should be consulted. A SCAIL assessment is not required for agricultural buildings to house primarily sheep or horses.

7.7 If the SCAIL assessment indicates that the process contribution from the proposal will exceed the 4% screening threshold then appropriate mitigation measures should be identified, such as amending the siting or design of the development. If the SCAIL assessment does not exceed 4% then further mitigation is not required.

7.8 The SCAIL input and output files ⁽⁷⁾ should be submitted to accompany the above listed types of planning applications, whether or not significant impacts are identified. This will form part of the validation process for such planning applications.

5

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778483/Emissions of air pollutants 1990 2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/778483/Emissions_of_air_pollutants_1990_2017.pdf)

6 Clean Air Strategy 2019 (Defra, 2019)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/770715/clean-air-strategy-2019.pdf

7 <https://magic.defra.gov.uk/>

Refer to SCAIL User Guide:

https://www.scail.ceh.ac.uk/agriculture/Sniffer%20ER26_SCAIL_Agriculture%20USER%20GUIDE%20Final%20Issue%2011032014.pdf

This page is intentionally left blank



NORTH DEVON COUNCIL

REPORT TO: STRATEGY AND RESOURCES
DATE: 05/10/20

TOPIC: EXTEND ROYAL MAIL CONTRACT

**REPORT BY: CUSTOMER AND CORPORATE COMMUNICATIONS
MANAGER**

1 INTRODUCTION

1.1 The contract for the delivery and collection of our mail is currently with Royal Mail. This contract is due for renewal in December 2020. This report seeks approval of an extension to that contract to allow for a pilot of 'hybrid mail' to take place.

2 RECOMMENDATIONS

2.1 To approve a six month extension of the Royal Mail contract to allow for a pilot of hybrid mail to take place before the contract expires.

3 REASONS FOR RECOMMENDATIONS

3.1 To allow us to evaluate the success of hybrid mail in order to help us to make an informed decision about whether to procure a hybrid mail service in the future.

3.2 To give us an idea of the volume of mail that could go via hybrid mail to inform any potential future procurement of a hybrid mail service.

4 REPORT

4.1 All of North Devon Council's mail is currently printed and stuffed in house either by hand or using an automailer if there is a large mailout.

4.2 It is then collected, sorted and delivered by Royal Mail, for which we have a contract in place.

4.3 Royal Mail has recently approached us to see if we would be interested in their hybrid mail product. Hybrid mail is when all standard mail is sent to an external supplier for printing, stuffing and sending out.

4.4 Many other councils are using hybrid mail and are reporting significant savings in officer time

4.5 Royal Mail is offering to carry out a pilot with our Revenues and Benefits team who are keen to trial this approach.

4.6 This can be achieved through a variation to our current contract.

4.7 Our current four contract expires in December 2020. This does not allow us enough time to carry out the pilot and evaluate the results.

4.8 Therefore a six month extension of the contract is sought to allow for the pilot to go ahead.

4.9 This pilot does not tie the council to Royal Mail for any future hybrid mail contract. If the council decides to procure a hybrid mail service, this will be done through a full and transparent procurement process.

5 RESOURCE IMPLICATIONS

5.1 An analysis of the market shows there would be no financial disadvantage to the council of not going out to procurement for its collection and delivery service at the end of the current contract as there is currently little price difference between suppliers.

6 EQUALITIES ASSESSMENT

6.1 There are no equalities implications.

7 CONSTITUTIONAL CONTEXT

Part 4, Contract Procedure Rules paragraph 24.1(a)	Delegated power
Part 4, Contract Procedure Rules paragraph 24.1(a).	Delegated

8 STATEMENT OF CONFIDENTIALITY

8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

9.1 The following background papers were used in the preparation of this report:

Crown Commercial Service R6017 lot 3 pricing schedule for collection and delivery of letters, large letters, and parcels. I:\Projects\Corporate Procurement\Corporate & Community\CC - 028 Postal Services

The background papers are available for inspection and kept by the author of the report.

10 STATEMENT OF INTERNAL ADVICE

10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: Claire Holm

Date: 15.9.2020

Reference: corporate\Projects\Corporate Procurement\Corporate & Community\CC - 028 Postal Services

This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES
Date: 05 October 2020
TOPIC: LEISURE CONTRACT PAYMENTS
REPORT BY: CONTRACTS DELIVERY MANAGER

1 INTRODUCTION

- 1.1 An urgent decision was taken by the council on 3rd August 2020 to pay Parkwood Leisure £40,000 towards losses they had incurred during the month of May as a result of government restrictions imposed on leisure centres due to the COVID pandemic. The council had previously paid £40,000 to Parkwood for similar, COVID related losses for the month of April. To date therefore, support of £80,000 has been provided for the months of April and May.
- 1.2 Under the terms of the interim leisure contract between Parkwood Leisure and North Devon Council (NDC) in line with Government PPN Guidance, Parkwood can claim for financial support from NDC to help cover losses between April and June 2020, with scope to extend this period by mutual agreement.
- 1.3 Parkwood have issued claims to the council for further payments for the months of June and July and have indicated that further financial assistance is likely to be required for August, September and beyond in order to keep North Devon's leisure facilities viable and open to the public as the COVID crisis continues.

2 RECOMMENDATIONS

- 2.1 That North Devon Council makes a grant payment of £80,000 to Parkwood Leisure to cover losses experienced in the month of June & July due to Covid 19.
- 2.2 That North Devon Council considers extending the COVID Relief period as defined in the interim leisure contract to maintain the provision of leisure services throughout the COVID crisis.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure continuation of service, prevent job losses and provide community leisure facilities for thousands of North Devon residents.

4 REPORT

- 4.1 The interim leisure contract between NDC and Parkwood Leisure contains clauses to address difficulties caused to both client and contractor by the COVID 19 pandemic. These clauses were added to the leisure contract through a deed of variation in accordance with central government Public Procurement Guidance Note PPN02/20.
- 4.2 The clauses mentioned at 4.1 provide a mechanism for Parkwood to submit monthly claims to NDC for losses experienced during the months of April – June 2020 (defined as the COVID Relief Period). The COVID Relief Period can be extended by mutual agreement between the two parties.
- 4.3 Parkwood's recent claims show a loss of just under £38,000 in June and £54,000 in July. NDC's Head of Resources has scrutinised the claim and is agreeable to a payment of £80,000 to Parkwood for June losses and July losses incurred.
- 4.4 At the end of August, Parkwood Leisure are showing losses of £255,000 against the North Devon Leisure Contract. They are very grateful for the £80,000 support already received from NDC to date but without further support from either central government or NDC, the contract is clearly not sustainable unless COVID restrictions are lifted.
- 4.5 Nationally as a company, Parkwood have outlined in a formal letter to NDC how they have suffered in the last six months since the COVID crisis began:
 - 45.1 £10m cash reserves "burnt" since March 2020
 - 45.2 99% staff furloughed since 25th July with 1,000 still furloughed
 - 45.3 Maximum CBiL application submitted
 - 45.4 Headcount reduction resulting in 33% of employees leaving the company by the end of October (equates to 20% reduction of FTE staff).
 - 45.5 The early exit from two leisure contracts where no local authority financial support could be provided.
- 4.6 In relation to the North Devon contract, Parkwood's Managing Director has have said "August saw revenue down by 79% compared to last year and despite the reopening of the pools in September income for this month is expected to be down 65% in comparison to last year. This is mainly due to a 35% cancellation rate of the highest category health and fitness memberships. With net margins in the sector notoriously low at circa 1% and high fixed costs, this is a pattern we anticipate will continue, with recovery unlikely to be until at least March 2021".
- 4.7 Parkwood have received some additional Government support during the crisis including a Leisure, Retail and Hospitality Grant and benefitted from the Coronavirus Job Retention Scheme (CJRS). Despite this support 14 members

of the North Devon team have been made redundant and a further 27 staff members are in consultation over redundancies.

- 4.8 With the CJRS scheme tapering off and due to end in October, if there is no further financial support from NDC, Parkwood will have to close the leisure facilities in North Devon again, starting with the closure of the pools in Ilfracombe and Barnstaple. Longer term Parkwood may have to instigate the termination clause of the interim leisure contract, closing all facilities and resulting in the loss of 127 jobs.
- 4.9 If the pools were to close there would be an immediate impact on nine swimming clubs including Ilfracombe Swimming Club, Barnstaple Swimming Club, Saunton Surf Life Saving Club, Croyde Surf Life Saving Club and Woolacombe Surf Life Saving Club (totalling some 1500 individual members.)
- 4.10 Since the reopening at the end of July, three schools have returned to swimming at our facilities with six more scheduled to return shortly. If the pools close again, then 400 local, schoolchildren will miss their weekly swimming sessions.
- 4.11 Since the pools reopened at the start of September 2,000, public swimming lane sessions have been booked and attended and 681 children have returned to their weekly out of school swimming lessons.
- 4.12 Parkwood outlined in their letter to NDC that whilst they have successfully reopened and received tremendous positive feedback, had they known there would be potentially no further financial support from the Council they would have made significantly different decisions about re-opening the facilities, particularly the swimming pools which are currently operating at a loss.
- 4.13 The Council have an extremely positive working relationship with Parkwood and the continuity of the existing contract and smooth transition into the contract for the new Leisure Centre provision is crucial to both parties for a viable start position in April 2022.

5 RESOURCE IMPLICATIONS

- 5.1 The financial support for June and July had been included in NDC financial projections and can be covered in part using some of the £1million Covid-19 support grant from central government provided to NDC towards additional costs being incurred.
- 5.2 Private Leisure Contractors who provide services for the Local Authority are unable to claim government support for losses in revenue, unlike Leisure Centres that are provided and run in-house directly by Councils whereby irrecoverable losses in income are being compensated to those Councils through the recently announced government scheme.

6 EQUALITIES ASSESSMENT

- 6.1 No equality issues anticipated.

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3, Annexe 1.1(d)	“Delegated”

8 STATEMENT OF CONFIDENTIALITY

8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

9.1 The following background papers were used in the preparation of this report:

- Urgent Decision Notice dated 30th April 2020
- Urgent Decision Notice dated August 2020

The background papers are available for inspection and kept by the author of the report.

10 STATEMENT OF INTERNAL ADVICE

10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

Author: Mark Kentell
Reference: Document5

Date: 23/09/20

LOCAL GOVERNMENT ACT 2000

REGISTER OF URGENT
DECISIONS TAKEN BY THE
CHIEF EXECUTIVE

NORTH DEVON COUNCIL CONSTITUTION
– Part 3 Annexe 2: Officer Delegations –
Chief Executive



Reference No:

1) SUBJECT: Dangerous Structure Rustic Cottage Gunn
Ref No. 20/0539/DS

2) REQUESTED DECISION:

Approval of instruction to contractor to carry out works to make the building safe at an estimated total cost of £65,789.00 + VAT without complying with the Contract Procedure Rules

3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

Rustic Cottage is in imminent danger of collapse which will impact both the adjacent highway and cause potential damage to the neighbouring semi-detached property. Action is required under Section 78 of the Building Act 1984 to remove the danger. There is an immediate danger and a cordon cannot be created to protect members of the public action is therefore required that cannot be delayed to enable a tendering process.

Work to demolish Rustic Cottage has already taken place at a cost of £27,370 plus VAT. However, this has left the former party wall which now forms the gable end to the neighbouring cottage exposed and the front elevation of the cottage in an unstable condition. Hence, in conjunction with the demolition works it is necessary to carry out reinstatement works to the gable end to ensure that it is left in a condition that prevents water ingress and ensures that it is structurally sound. Due to the water ingress into the cob construction this is a complex multi staged operation and the cost estimate is £38,419.00 plus VAT.

Complying with the Contract Procedure Rules by following a procurement process would not have been appropriate given the fact that the works are by definition urgent. Because of the prospect of worsening weather, the second phase of the works, to make the adjoining property weather proof, are also required urgently.

4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

Under Section 78 of the Building Act the cost of emergency work can be recharged to the owner of the property.

There is a financial risk as the owner could potential legally challenge the Local Authority on the basis that the works were more than the minimum required to

make the structure safe. However, it is considered that this risk is mitigated by the supporting dangerous structure report 20/0539/DS

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

1. Do nothing was considered but this was not viable due to the danger to the public.
2. Action under Section 77 of the Building Act to obtain a Court Order requiring the building to be made safe. This was dismissed as the building need to be made safe without delay.
3. Action under Section 78 of the Building Act 1984 to shore up the building was considered but dismissed due to,
 - Scaffolding would need to be extensive both internal and external
 - There is not a safe working environment to erect the internal scaffold
 - There is a history of the owner being unresponsive and therefore the scaffold would most likely remain in place resulting in on-going higher costs in the medium to long term.
 - Temporary works would not prevent further deterioration of the cob construction due to water penetration potentially leading to partial collapse of the neighbouring building.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None

7) A NOTE OF ANY DISPENSATION IF GRANTED:

None

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

Dangerous Structure Report 20/0539/DS

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council (or Deputy Leader)	Yes	27.8.20

Chair of Committee (with the Authority to take the decision) <i>(or Vice-Chair)</i>		
Lead Member		
Ward Member (Cllr Luggar)	Yes	29/06/2020
Head of Service (Michael Tichford)	Yes	29/06/2020
Finance		
Legal (Trevor Blatchford)	Yes	22/06/2020

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE:
Mike Tucker – Building Control Manager

12) APPROVED BY CHIEF EXECUTIVE: YES or NO



13) DATE OF DECISION:
28th August 2020

14) CHIEF EXECUTIVE'S COMMENTS:

It is essential that the works take place to protect the adjoining properties and the public and so I am happy to support this provided recovery from the landowner takes place..

15) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

October 2020

GUIDANCE NOTES

NOTE:

PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

Officer Delegations: the Chief Executive:

Urgent Decision Making

- 3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:
 - 3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and
 - 3.48.2 the proviso that this power will not extend to the determination of any application submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and
 - 3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.