

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Virtual - Online meeting on Monday, 1st March, 2021 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

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

Officers:

Chief Executive, Head of Resources, Senior Solicitor/Monitoring Officer, Service Lead - Environmental Protection and Contracts Delivery Manager

Also Present:

Councillors Luggar, D. Spear and Tucker

262. VIRTUAL MEETING PROCEDURE - BRIEFING AND ETIQUETTE

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

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

263. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

264. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 1 FEBRUARY 2021 (ATTACHED).

RESOLVED that the minutes of the meeting held on 1 February 2021 (circulated previously) be approved as a correct record and signed by the Chair.

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

The Chair advised that there would be an informal meeting for Members of the Committee immediately following the conclusion of the formal meeting.

266. DECLARATIONS OF INTERESTS.

There were no declarations of interest received.

267. BATSWORTHY CROSS WINDFARM

The Committee considered a report by the Service Lead – Environmental Protection (circulated previously) regarding Batsworthy Cross Windfarm.

The Service Lead Environmental Protection highlighted the following:

- Noise compliance monitoring at six locations close to Batsworthy Cross Windfarm had confirmed compliance with the noise related planning conditions at five of these six locations. Exceedance of the noise limits in the sixth location has previously been confirmed.
- On 16th September 2020, the Council had re-issued a request to the Operator asking them to provide details of a proposed further mitigation strategy for properties in the vicinity of Birchwood House within 30 days.
- A response from the Operator was received on 8 October 2020 confirming details of an associated mitigation strategy.
- Additional information was subsequently requested from the Operator, to enable a further assessment of this strategy with further clarifications and data being received during January 2021.
- Officers' were currently in the process of reviewing the complete response. This was proving to be challenging on a technical level and were still in the process of undertaking complicated analysis of the data with the consultant and that a further update would be provided at the meeting of the Committee in April 2021.

The Chair invited Jane Faust to address the Committee.

Jane Faust addressed the Committee.

In response to the points raised by Jane Faust, the Service Lead Environmental Protection advised the following:

- The operator had submitted information in relation to the alleged reduction of the noise limits of 1.5dB to bring the site to what they believe would become compliant. This was the data that officers were currently analysing.

In response to questions from Members, the Service Lead Environmental Protection advised the following:

- The calculations of the noise limits were based on previous monitoring data. There was a need for measured data which had now been submitted and was being analysed. Once officers' had a preliminary view on the data submitted then this information would be shared with Members.
- It was anticipated that a more informed update would be provided at the next meeting of the Committee on 12 April 2021.

The Committee noted the report and that a report would be presented to the Committee on 12 April 2021.

268. TARKA LEISURE CENTRE UPDATE

The Committee considered a report by the Contracts Delivery Manager (circulated previously) regarding an update on the Tarka Leisure Centre project.

The Contracts Delivery Manager highlighted the following:

- An internal audit of the Tarka Leisure Centre project was undertaken in December 2020 and January 2021. One of the audit recommendations was to bring regular progress reports to members at Strategy and Resources Committee meetings on a monthly basis.
- Despite COVID 19 and the subsequent restrictions and control measures imposed on construction sites, the programme is currently just one week behind schedule. The next notable milestone will be the excavation of the swimming pools.
- Parkwood Leisure have overall responsibility for managing the construction phase of the project (under the terms of the Design Build Operate and Maintain or DBOM) contract. They have direct responsibility for managing the construction contractor (Speller Metcalfe), the architect and sub-contractors.
- There was a need to consider how to manage the construction site once the Tarka Tennis centre re-opened on 12 April 2021.
- There would be some disruption to the Tarka Tennis car park and lorry car park, but this would be kept to a minimum.
- Several officers are currently overseeing the construction phase of the project on behalf of the council. Their roles on the project were summarised in Appendix A.
- The gross valuation to date for construction was £2.4m. The next spend would be for £2.3m.
- It was still planned to open the new leisure centre in April 2022.
- It was difficult to predict how well the new leisure centre would perform as the business cases had been produced pre Covid 19. The management fee paid to the council would be unaffected though as these payments are fixed.

In response to questions, the Contracts Delivery Manager advised the following:

- The income the Council would receive from the new Leisure Centre was over a 20 year period.
- The Council had secured funding from the National Lottery Recovery Fund which would be paid over to Parkwood Leisure.
- The Chief Executive was the Chair of the South West Leisure Group who were continuing to lobby MPs regarding stage 2 leisure recovery.
- When the leisure centre re-opened following the lockdown, it would not be fully open. Parkwood Leisure's construction contractor had incurred additional costs for cleaning and other Covid precautions as a result of the pandemic. Claims for these extra costs would be reviewed under the contract review procedures.

In response to a question, the Head of Resources advised that that the Council was protected as much as possible. The borrowing costs within the financial modelling were around 3%. Borrowing costs had reduced considerably which was financially advantageous for the Council.

The Committee noted the report.

269. PROCUREMENT OF VEHICLES

The Committee considered a report by the Chief Executive (circulated previously) regarding the procurement of vehicles.

The Chief Executive highlighted the following:

- The Council was the Waste Collection authority and as such needed to maintain a fleet of vehicles in order to collect waste and recycling and deliver it to the appropriate body. Traditionally, North Devon Council has purchased the vehicles that it needs but had recently been exploring other options.
- The Council operated a fleet of 89 vehicles and a workshop to maintain the vehicles.
- There was a rolling capital programme to replace vehicles.
- A number of councils have now moved to a model whereby vehicles were leased rather than purchased. Councils have approached this differently depending on circumstances but a project has been ongoing to explore this option to see if it would be better financially and operationally for the Council.
- Suppliers have been asked to tender for the contract to supply the Council with vehicles for the next 7 years with the option of also taking over management of the workshop and providing a full vehicle maintenance service to the Council. If that option was adopted, a number of staff would transfer to the new supplier but on the same terms and conditions as existing.
- The exercise had been conducted in conjunction with Somerset West and Taunton Council which would also be approaching this in the same way.
- The deadline for the final submission of tenders was 15 March and it was envisaged that an award will be made in early April. At this stage it was difficult to know what the financial implications would be for the Council as the deadline had not passed and the tenders had not been evaluated. There was a need to assess associated costs compared to the current method of operation.
- As part of the tender process, if a decision was taken to lease vehicles the contractor would be requested to provide spare vehicles which would provide more flexibility for the Council.
- The procurement timetable didn't allow for a report to be brought back to the Committee.

In response to questions, the Chief Executive advised the following:

- As part of the procurement timetable, the deadline for tenders was 15 March 2021 and the preferred bidder would be notified of the outcome on 26 March 2021. There was not a long period between these dates to evaluate the tenders. The timescales were extremely tight and therefore if a special

meeting of the Committee were convened between these dates, there could potentially be a delay in notifying the preferred bidder. There would be no opportunity to convene a meeting of the Policy Development Committee.

- The contractor would be given flexibility to purchase electric vehicles and there would be associated costs.
- The costs requested as part of the tender process were based on the current vehicle fleet and contractors were aware that there was a need to look at other appropriate vehicle types.
- In terms of maintenance of vehicles there were a number of options which included retaining the maintenance in-house and contract back to the contractor or for the workshop to be provided by the contractor and for staff to be TUPE over to the contractor.
- The contractor would be required to provide replacement vehicles for any vehicles that broke down.
- He suggested that the recommendation be amended to also include consultation with the Group Leaders and Lead Member for Commercialisation and Resources. If Group Leaders were then not in agreement, a special meeting of the Committee could be convened. Key information could be provided to Group Leaders.

RESOLVED that the approach of leasing vehicles be agreed and that the Chief Executive be delegated power in consultation with the Lead Member, Group Leaders and the Lead Member for Commercialisation and Resources to appoint a supplier of vehicles and maintenance services, if deemed appropriate, following the completion of the procurement exercise, subject to compliance with the Council's Contract Procedure rules and that a special meeting of the Committee be convened if required.

270. RURAL SETTLEMENT LIST

The Committee considered a report by the Head of Resources (circulated previously) regarding the Rural Settlement List.

The Head of Resources highlighted the following:

- The Council was required to annually publish a Rural Settlement list in accordance with the Local Government Finance Act 1997.
- Rural Settlements were settlements with a population of less than 3,000 within the boundaries of a rural area as set out under the provision of the Housing Act 1996.
- The Rural Rate Relief Scheme helped qualifying small general stores, post offices, food shops, public houses and petrol stations. It is intended to safeguard rural communities and preserve the future of village life by supporting the service they provide to local people. To qualify for relief, properties must be situated within a designated rural settlement area of less than 3,000 people.
- Appendix A listed the qualifying Rural Settlements with a population of fewer than 3,000. This list had remained unchanged for many years.

RESOLVED that the Rural Settlement List be approved, for the purposes of Rural Rate Relief, of the rural settlements listed in Appendix A to this report.

271. BUSINESS GRANTS

The Committee considered a report by the Head of Resources (circulated previously) regarding Business Grants.

The Head of Resources highlighted the following:

- The Government had announced a series of measures to support business impacted by Covid-19. These measures included payments of grants to businesses which have had to close due to localised or widespread national restrictions being put in place.
- Whilst the awarding of these grants was the Council's responsibility, the Department for Business, Energy and Industrial Strategy (BEIS) had set down the criteria which must be met by each business making an application for the grants as detailed in paragraph 1.2 of the report and approval was required for the approval of the schemes criteria.
- The Council had already supported businesses with the payment of £50m of business grants over the past 12 months. Further £12m had been paid to businesses since January 2021.
- The Government had announced that further funding would be available to businesses for the period mid-February to the end of March 2021 and that these would be paid automatically to businesses who had previously received the grant.

The Leader thanked the Head of Resources and his team for their hard work in processing the payment of business grants over the past 12 months.

In response to questions, the Head of Resources advised the following:

- The Council had received £1.9m for the discretionary grant scheme in November 2020 and £860,000 top-up allocation in January 2021. The Council was currently in the process of administering the discretionary grants to business. No further additional restriction grant had been announced for the mid-February to the end of March 2021 period.
- To date the Council had processed the payment of just over £2m of the total £2.8m of business grants.
- The Chancellor had announced further business grants as part of his budget and details would be known shortly.

RESOLVED that the adoption of the:

(a) Local Restrictions Support Grant (Closed) Addendum with effect from 5 November 2020 as shown in Appendix A be approved;

(b) Local Restrictions Support Grant (Closed) with effect from 2 December 2020 as shown in Appendix B be approved;

(c) Christmas Support Payment for wet-led pubs as shown in Appendix C be approved;

(d) Local Restrictions Support Grant (Closed) Addendum 5 January as shown in Appendix D be approved;

(e) Closed Business Lockdown Payment as shown in Appendix E be approved.

272. COUNCIL TAX DISCOUNTS

The Committee considered a report by the Revenues and Benefits Manager (circulated previously) regarding Council Tax Discounts.

The Head of Resources advised that the proposed Council Tax Discounts relating to certain properties for the financial year commencing 1 April 2021 were unchanged from the last financial year and the same level of discounts were recommended.

RECOMMENDED that Council makes the following determinations in relation to the classes of dwellings set out below for the financial year commencing 1 April 2021:

(a) Class A and Class B Unoccupied and furnished properties
Set a 0% discount, therefore levying full council tax.

(b) Classes A and B do not include any dwelling

- (i) Which consists of a pitch occupied by a caravan or a mooring occupied by a boat.
- (ii) Where a qualifying person in relation to that dwelling is a qualifying person in relation to another dwelling in England, Wales or Scotland which is job related.
- (iii) Which for a qualifying person is job related where that person is a qualifying person in relation to another dwelling in England, Wales or Scotland.

(c) Class C Unoccupied and substantially unfurnished properties
Set a discount of 100%, for up to three months.

(d) For the purpose of Class C, in considering whether a dwelling has been unoccupied for any period, any one period, not exceeding six weeks, during which it was occupied shall be disregarded.

(e) Properties which have been unoccupied and substantially unfurnished for over two years, levy the empty home premium of 200% of the normal liability.

(f) Properties which have been unoccupied and substantially unfurnished for over five years, levy the empty home premium of 300% of the normal liability.

(g) Properties which been unoccupied and substantially unfurnished for over ten years, levy the empty home premium of 400% of the normal liability.

273. CAR PARKING CHARGES

The Committee considered a report by the Chief Executive (circulated previously) and a revised recommendation (circulated separately) regarding Car Parking Charges.

The Chief Executive highlighted the following:

- Outlined the revised recommendation (which had been circulated separately) recommending that a working group be set up following a number of posts being made on social media expressing concerns regarding the potential increase in charges.
- Car parking charges were used to manage behaviour.
- The forecast income reduction for the current financial year was £1.8m and the Council would recover around £1.2m from the Government. The forecast net loss of income to the Council was £600,000.
- Torridge District Council had recently taken a decision to increase charges for coastal car parks for the next three years. Westward Ho! car park charges had been increased to £9 all day. It was proposed that the charges for Croyde car park would increase to £4.40 for 3 hours and £6 for all day.
- Following the announcement by Government for the roadmap out of lockdown, the Council could now expect demand for car parking to increase in coastal areas.

RESOLVED that a working group involving the Leader and Deputy Leader, Councillors Lofthouse and Yabsley of Strategy and Resources Committee and interested ward members be convened to consider the issue of car parking charges with a report to come back to a future Strategy and Resources Committee.

Chair

The meeting ended at 11.16 am

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