



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 6.20 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 Crematorium Meeting Room - North Devon Crematorium on **WEDNESDAY, 24TH NOVEMBER, 2021 at 6.30 pm.**

(NOTE: From the 7 May 2021, the law requires all councils to hold formal meetings in person. The council is also ensuring that all venues used are Covid secure and that all appropriate measures are put in place. There are a limited number of spaces available for members of the public to attend. Please check the Council's website for the latest information regarding the arrangements that are in place and the requirement to book a place 2 working days prior to the meeting [Taking part in meetings \(northdevon.gov.uk\)](https://www.northdevon.gov.uk))

A handwritten signature in black ink, appearing to read 'K. Miles', written in a cursive style.

Chief Executive

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting held on 29 September, 5 and 20 October 2021 (attached) (Pages 13 - 34)
3. Chair's announcements
4. Business brought forward by or with the consent of the Chair
5. 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

6. 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 by Councillor Walker

“This council asks the government to bring forward legislation to make school uniform affordable for all. We recognise the importance of uniform and the correct wearing of it within schools as a social equaliser, but feel that at the moment many parents are struggling to buy uniform, especially with the effects of the pandemic and the way parents may have had to buy multiple uniform that hasn't been worn much before having to be replaced. We also ask that within the school uniform policy that children are not penalised for minor infringements of uniform policy due to parental hardship or availability of the correct uniform for that child.

We would like to thank all our local schools for providing thrift shops or exchange services within the schools and recognise that these services are invaluable.”

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

“This council recognises that we are facing a climate emergency and that changes need to be made concerning the construction of new homes. Action needs to be taken to help secure the reaching of the government's target of net zero by 2050. Furthermore we believe that it is important to apply the most recent National Design Guide for providing a healthy and pleasant place for our residents to live and work. The features in the guide are also climate friendly and will go some way towards the already adopted climate emergency to which this council is committed.

Architect and engineer Maria Smith, who edited the RIBA's Built for the Environment report whose demands were presented to COP26, warned that the whole planning system was currently weighted against building sustainably.

“We have the knowhow, and every actor in the built environment wants to do a sustainable building – but the whole system is working against us,” said the Buro Happold director.

<https://www.bdonline.co.uk/news/make-net-zero-buildings-the-only-ones-worth-building-architects-tell-cop/5114523.article>

This council requests that:

- (a) The government implements the RIBA's proposals as submitted to COP 26 without delay. This includes a requirement for the design councils' guide to better placemaking to have priority as a material consideration for planning decisions. As part of new developments public facilities and infrastructure such as schools and health provisions need to be provided as an integral part of the initial construction.
- (b) All government inspectors consider a holistic approach with particular regard to the future consequences of climate change in the planning appeals process.

- (c) New developments should include processes which will enable properties to have net zero CO2 emissions. Actions to include rainwater harvesting and storage, SUDS to include natural filtration and recycling for use within the development's life, electrical power provision to be renewable with at least 50% being produced on site or within the immediate locality and developments to be provided with the infrastructure to be EV charging ready.
- (d) Building regulations include actions to make it mandatory to insulate any new homes or additions to existing homes to a level that meets a maximum energy consumption of $\leq 46\text{kWh/m}^2/\text{YR}$, with a tapering reduction for future homes down to $\leq 25\text{kWhr/m}^2/\text{YR}$ by 2030. (EuroPHitt criteria as an initial minimum).
- (e) A training program be instigated for officers and councillors that are likely to be involved in any form of planning and construction decisions or control, for the understanding and consistent application of the National Design Guide.
- (f) To consider the adoption of a SPD similar to that adopted by the Derbyshire Dales DC.
<https://www.derbyshiredales.gov.uk/your-council/news-and-publications/latest-news/3382-climate-change-supplementary-planning-document-adopted>.”

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

“This Council notes that:

A private members bill concerning protecting our rivers and coastal waters has been going through Parliament. This Council is concerned about the discharge of untreated sewage into rivers and the sea. With our beautiful beaches being one of the main attractions for tourists unless reasonable steps are taken to prevent pollution we are concerned that there will be a real impact on residents and visitors to our area. Water companies admit that in 2020 alone untreated human waste was released directly into our waterways over 400,000 times for a total of 3 million hours. This might well be an underreporting of sewage discharges because the sector is allowed to self-report what it does and, for example, Southern Water has been fined for repeatedly dumping raw sewage into the seas along the south coast while not reporting the true amount to the Environment Agency.

We understand that most, if not all, rivers in England are now polluted beyond legal limits with the Environment Agency rating only 14% of rivers as ‘Good’ in 2019. Government funding to the Environment Agency to monitor river quality, and regulate water companies has dropped 75% since 2010/11. Our local rivers and beaches are threatened by further sewage discharges. The sheer volume of sewage and run-off entering the water means that the UK was ranked just 25th out of 30 EU countries for coastal water quality.

Council resolves to

- (a) Support the surfers against sewage campaign for an end to sewage discharge into our bathing waters by 2030.
- (b) Ask our M.P. to support all measures to prevent untreated human waste being released into our waterways.
- (c) Write to the Secretary of State for Environment, Food and Rural Affairs expressing our concerns about any discharge of raw sewage into North Devon rivers or our beaches
- (d) Ask the Government to make full use of the existing regulatory powers and restore the Environment Agency budgets in order to deliver the necessary oversight.”

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

“The UK event to promote small businesses started in 2013 and has grown in popularity year on year. Council notes that Small Business Saturday 2021 is coming up on 4th December. Small Business Saturday has grown into a significant event – with a record £1.1 billion spent with small businesses during last year’s event. As a result of the pandemic more people are now working from home rather than commuting to work and we need to continue to encourage our entrepreneurs and help them to be successful.

Council recognises that this is an excellent opportunity to further promote our many small businesses in North Devon and to celebrate the contribution smaller businesses make to our economy and life in our area.

With around 4,000 businesses in North Devon this Council believes that Small Businesses are the heart and soul of our communities and local high streets. It is only by supporting our local independent businesses that we can also help our local high streets, village shops and tourist industry to thrive.

Council resolves to:

- (a) Request that NDC officers work closely with local business organisations and smaller enterprises across North Devon to make them aware of Small Business Saturday and encourage them to be part of it.
- (b) Ensure that Small Business Saturday is promoted thoroughly and prominently on the Council’s website, social media channels and other external communications.
- (c) Continue with our year round communications campaign to shop locally under the slogan Live, Love, Local which helps to promote local small businesses and encourage residents and visitors to North Devon to buy local produce. Council recognizes that buying local produce reduces the carbon footprint and helps in the fight against climate change.
- (d) Look for further ways to increase shopper numbers around Small Business Saturday and in the lead up to Christmas.

(e) Press for a speed up in the provision of superfast broadband in our rural areas.”

7. 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).

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

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

PART A

10. **Report of the Leader of the Council** (Pages 35 - 38)

Report by Leader of the Council (attached).

11. **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.

12. **Performance and Financial Management Quarter 2 2021-22** (Pages 39 - 68)

Report by Director of Resources and Deputy Chief Executive to the Strategy and Resources Committee on 1 November 2021 (attached).

(a) Report by Policy Development Committee

To receive the report by the Policy Development Committee on 18 November 2021 (to follow).

(b) Report of meeting of the Strategy and Resources Committee (Pages 69 - 70)

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

13. **Mid Year Treasury Management Report 2021-22** (Pages 71 - 86)

Report by the Director of Resources and Deputy Chief Executive to the Strategy and Resources Committee on 1 November 2021 (attached).

(a) Report by Policy Development Committee

To receive the report of the Policy Development Committee held on 18 November 2021 (to follow).

- (b) Report of meeting of the Strategy and Resources Committee (Pages 87 - 88)

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

14. **Appointment of External Auditors from 2023-24** (Pages 89 - 98)

Report by the Director of Resources and Deputy Chief Executive (report attached).

15. **Report of Lead Member for Climate Change**

Lead Member for Climate Change to report.

16. **Report of Lead Member for the Environment** (Pages 99 - 100)

Report (attached).

17. **Minutes of Committees**

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

- (a) Building Control Joint Committee (Pages 101 - 106)

- (i) 4 November 2021

- (b) Governance Committee (Pages 107 - 110)

- (i) 20 October 2021

- (ii) 16 November 2021 (to follow)

- (c) Licensing and Community Safety Committee (Pages 111 - 114)

- (i) 19 October 2021

- (d) Planning Committee (Pages 115 - 120)

- (i) 13 October 2021

- (e) Policy Development Committee

- (i) 18 November 2021 (to follow)

- (f) Strategy and Resources Committee (Pages 121 - 134)

- (i) 4 October 2021

- (ii) 1 November 2021

- (A) Minute 81 (c): Approval and Release of Section 106 Public Open Space Funds – Barnstaple, Chulmleigh, Newton Tracey and Witheridge

- (B) Minute 82: Gambling Statement of Principles

PART B (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

16.11.21

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.
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.
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.
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**.

