



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, 20TH JULY, 2022 at 6.30 pm.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. 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 \(northdevon.gov.uk\)](http://northdevon.gov.uk))

A handwritten signature in black ink, appearing to read 'K. Miles', is written over a light blue horizontal line.

Chief Executive

AGENDA

1. Apologies for absence
2. To approve as correct records the minutes of the meetings held on 6 April 2022 (attached) (Pages 13 - 26)
3. Chair's announcements
 - (a) Former Councillor Reg Cane
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 from Councillor Topham

“Cost of Living emergency

It is shocking and extremely worrying for many local residents in North Devon on limited incomes, that Ofgem announced that the energy price cap could rise to £2,800 in October 2022.

Earlier this year on 1 April 2022, Ofgem increased the energy price cap by 54 per cent.

Over the coming summer months, North Devon residents who in the main are already financially challenged, face the average standard tariff energy bill increasing by £693 per year. The average pre-pay meter energy bill increasing by £708 per year (Ofgem, 2022)

On 6 April 2022, the Government increased National Insurance by 1.25 percentage points, which is another extra demand on North Devon families.

The cost of petrol and diesel has hit an all time high with it costing over £100 to fill up an average car. In rural North Devon where there is little or no public transport this is causing real hardship and in addition is putting enormous pressure on our Council’s waste and recycling budget. A recent report by the Countryside Alliance showed that rural households that depend on their cars will need to spend nearly £800 a year more on fuel than people who live in urban areas.

Inflation is at a forty year high and many are struggling to feed their families. The impact of the war in Ukraine is also causing prices to rise further.

Prices of houses and rents have rocketed making it extremely difficult for residents to cope with all these price rises.

Many people on fixed incomes and low income families are really struggling and wage rises are not keeping pace with inflation.

This Council therefore declares a ‘Cost of Living Emergency’ and instructs the Leader of the Council to write to the Chancellor of the Exchequer to:

1. Welcome the imposition of the ‘Windfall Tax’ on the super profits of oil and gas companies and question whether this has gone far enough.
2. Immediately reduce the standard rate of VAT from 20% to 17.5% for at least one year, saving the average family £600.
3. Introduce a fuel rebate scheme for rural areas like North Devon with, for example, extending the discount scheme for rural garages which has been successful at Lynton (Barbrook).

4. Extend free school meals to all those families on universal credit.
5. Extend the cost of living payment of £650 to those on legacy and contributions based benefits as people on these benefits have higher costs of living already due to long term health conditions or disability.”

(b) To consider the following notice of motion from Councillor Walker

“Motion regarding pavement parking in North Devon

This Council notes that inconsiderate parked vehicles can cause a hazard and restrict the movement of many people, including those with visual impairments, mobility issues, parents with young children and the general public who may have trouble placing waste and recycling on the pavement for collection.

This Council also notes that the Government would like to decriminalise pavement parking and make this a civil matter and allow civil enforcement officers to issue fines for pavement and other inconsiderate parking, the consultation for which this council responded to in October 2020. However no legislation has been forthcoming.

Parking in this fashion not only causes obstruction, but also damages the pavement, creating another hazard.

Under the Highways Act 1980, section 130 (1) imposes a duty on the highways authority to assert and protect the rights of the public to use and enjoy the highway. This general duty is reinforced by s130 (3) which states that the highway authority have a duty to prevent, as far as possible, the obstruction of the highway.

This Council asks that Devon County Council as the Highways Authority to make a Traffic Regulation Order under the Road Traffic Regulation Act 1984 to prohibit pavement parking throughout North Devon, allowing Exemptions in specific places where pavement parking is necessary.

This Council also asks that DCC Civil enforcement officers are used to enforce the TRO, which should be a self funding option.

The Council also asks for the support of the MP for North Devon in this matter, in supporting the council in this motion.”

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 27 - 28)
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 4 of 2021/22** (Pages 29 - 68)
(NOTE: A copy of the report that was considered by the Strategy and Resources Committee on 4 July 2022 is attached).
 - (a) Report of the Policy Development Committee
To receive the report of the Policy Development Committee held on 14 July 2022 (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 4 July 2022 (attached).
13. **Annual Treasury Management Report 2021/22** (Pages 71 - 82)
(NOTE: A copy of the report that was considered by the Strategy and Resources Committee on 4 July 2022 is attached).
 - (a) Report of the Policy Development Committee
To receive the report of the Policy Development Committee held on 14 July 2022 (to follow).
 - (b) Report of meeting of the Strategy and Resources Committee (Pages 83 - 84)
To receive the report of the Strategy and Resources Committee held on 4 July 2022 (attached).
14. **Afghan Re-settlement Scheme/Afghan Policy** (Pages 85 - 88)
Report by Service Lead, Housing Options and Homelessness (attached).
15. **Homes for Ukraine Update** (Pages 89 - 90)
Report by Service Lead, Housing Options and Homelessness (attached).

16. **UK Shared Prosperity Fund** (Pages 91 - 110)
Report by Director of Resources and Deputy Chief Executive (attached).
17. **Ocean Recovery Motion** (Pages 111 - 112)
To note the letter received from Rebecca Pow MP, Department for Environment Food and Rural Affairs (attached) in response to the decision taken by the Strategy and Resources Committee meeting held on 4 April 2022 and minute 104 (a) of the meeting of Council held on 23 February 2022.
18. **Constitution Update** (Pages 113 - 282)
To consider the recommendation of the Governance Committee held on 14 June 2022 (attached).
- (NOTE: A copy of the report by the Senior Solicitor and Monitoring Officer presented to the Governance Committee on 14 June 2022 is attached).
19. **Outside Body Appointments**
- (a) Devon Rail Forum
To consider the appointment of 1 Member to the Devon Rail Forum for the life of Council following the resignation of Councillor Mack from the Forum.
- (b) PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee (Pages 283 - 284)
To consider the appointment of 1 Member to PATROL for the life of Council.
- (NOTE: PATROL has requested that the Council consider nominating a Councillor to the Joint Committee. Background information is attached).
- (c) Bridge Trust (Pages 285 - 298)
To consider the appointment of one Trustee to serve on the Bridge Trustee Board following the resignation of Councillor Biederman from the Board.
(NOTE: A copy of the constitution is attached).
20. **Licensing and Community Safety Committee - Appointment of a Member**
To consider the appointment of 1 Liberal Democrat Councillor to the Licensing and Community Safety Committee for the 2022/23 municipal year following the resignation of Councillor Orange from the Committee.
21. **Report of Lead Member for Climate Change** (Pages 299 - 300)
Report (attached)
22. **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 301 - 306)
 - (i) 12 May 2022

- (b) Governance Committee (Pages 307 - 314)
 - (i) 14 June 2022

- (c) Harbour Board (Pages 315 - 322)
 - (i) 3 May 2022
 - (A) Minute 7: Appointment of Independent Representative to the Harbour Board

- (d) Licensing and Community Safety Committee (Pages 323 - 342)
 - (i) 12 April 2022
 - (A) Minute 4: Hackney Carriage and Private Hire Policy Amendments (NOTE: This recommendation is incorporated within the Constitution Amendments under item 17 on the agenda)
 - (ii) 27 April 2022
 - (iii) 12 May 2022
 - (iv) 14 June 2022

- (e) Planning Committee (Pages 343 - 370)
 - (i) 13 April 2022
 - (ii) 25 April 2022
 - (iii) 11 May 2022
 - (iv) 25 May 2022
 - (v) 8 June 2022
 - (vi) 27 June 2022

- (f) Policy Development Committee
 - (i) 14 July 2022 (to follow)

- (g) Strategy and Resources Committee (Pages 371 - 430)
 - (i) 4 April 2022
 - (ii) 9 May 2022
 - (iii) 6 June 2022
 - a. Minute 15 (d): Gap Funding 21 Social Rents at Woolacombe
 - (iv) 4 July 2022
 - a. Minute 31 (b): New Woodland at Frankmarsh, Barnstaple
 - b. Minute 37 (e): Approval and Release of S106 Public Open Space Funds – Barnstaple and Chulmleigh

PART B (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

12.07.22

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**.

North Devon Council offices at Brynsworthy, the full address is:
Brynsworthy Environment Centre (BEC), Roundswell,
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please sign in using the Track and Trace App and follow the signage and instructions in order to access the Meeting Rooms. Alternatively, dial 8253 for Corporate and Community Services if you have any problems.



