



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

K. Miles  
Chief Executive.

To: All Members of the Council  
and Chief Officers

**NOTE: PLEASE NOTE THAT PRAYERS WILL BE SAID AT 6.25 P.M. PRIOR TO THE COUNCIL MEETING FOR ANY MEMBER WHO WISHES TO ATTEND**

### **COUNCIL MEETING**

**YOU ARE HEREBY SUMMONED** to attend a meeting of **NORTH DEVON COUNCIL** to be held in the Crematorium Meeting Room - North Devon Crematorium on **WEDNESDAY, 28TH SEPTEMBER, 2022 at 6.30 pm.**

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 20 July 2022 (attached) (Pages 9 - 20)
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 from Councillor Wilkinson

**“Sky lanterns might look pretty but they are a serious danger to animals and the countryside.**

Essentially a small hot air balloon made of paper, with an opening at the bottom

where a candle is suspended, sky lanterns, can float for miles before they fall to the ground.

Every year up to 200,000 sky lanterns are released in the UK. These “floating flames” are highly dangerous.

They can:

- Start wildfires
- Kill animals
- Destroy food growing in fields
- Set homes and buildings alight

And the litter they leave in their wake is a blight on our beautiful countryside.

In 2019, the NFU launched a campaign to urge people to email their council to ban sky lanterns on land it owns. To date 187 councils out of 333 have banned them in England and Wales.

As a Council we, therefore, agree to

1. Applaud the work that the NFU, National Fire Chiefs Council, Keep Britain Tidy and the RSPCA have done to bring to our attention the impact sky lanterns can have.
2. Ban the use of sky lanterns on property owned by North Devon Council.
3. Inform the general public of the dangers associated with sky lanterns.”

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

“That this Council writes to South West Water to ensure they prioritise urgent action and investment to prevent avoidable discharges in North Devon that relies heavily on tourism. That we, North Devon Council recognise that as part of the UNESCO Biosphere Reserve, we have a responsibility to work positively and proactively with South West Water, the Environment Agency and other partners, to provide cleaner and healthier waters for our residents and visitors.”

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. Anti-Fraud and Corruption**

Presentation by Ken Johnson, Counter Fraud Services Manager, Devon Audit Partnership

### **11. Report of the Leader of the Council (Pages 21 - 22)**

Report by Leader of the Council (attached).

### **12. Questions by Members**

Questions to the Leader or the Chair of a Committee submitted under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

### **13. Statement of Accounts 2021/22**

#### **(a) Report by Chief Financial Officer (attached) (Pages 23 - 126)**

Chair of the Governance Committee to report the recommendations of the Governance Committee held on 26 September 2022 (to follow).

#### **(b) Annual Governance Statement 2021/22 (attached) (Pages 127 - 168)**

To consider the recommendation of the Governance Committee held on 26 September 2022 (to follow).

#### **(c) Letter of Representation on behalf of the Council (attached) (Pages 169 - 172)**

It is RECOMMENDED "that the letter of representation on behalf of the Council be approved and signed by the Chief Financial Officer". To consider the recommendation of the Governance Committee held on 26 September 2022 (to follow).

### **14. Performance and Financial Management Quarter 1 of 2022-23 (Pages 173 - 204)**

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

#### **(a) Report of the Policy Development Committee**

To receive the report of the Policy Development Committee held on 8 September 2022 (to follow)

#### **(b) Report of meeting of the Strategy and Resources Committee**

To receive the report of the report of the meeting of the Strategy and Resources Committee held on 5 September 2022 (to follow).

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

Lead Member for Climate Change to report.

16. **Outside Body appointment - 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 York from the Forum.

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 205 - 210)

(i) 7 July 2022

(b) Governance Committee

(i) 26 September 2022 (to follow)

(c) Harbour Board (Pages 211 - 218)

(i) 9 August 2022

(d) Joint Planning Policy Committee (Pages 219 - 224)

(i) 15 July 2022

(e) Planning Committee (Pages 225 - 242)

(i) 13 July 2022

(ii) 10 August 2022

(iii) 31 August 2022

(f) Policy Development Committee

(i) 8 September 2022 (to follow)

(g) Strategy and Resources Committee

(i) 5 September 2022 (to follow)

a. Minute 55 (h): Approval and Release of Section 106 Public Open Space Funds – Barnstaple, Landkey and Tawstock

**PART B (CONFIDENTIAL RESTRICTED INFORMATION)**

Nil.

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

20.09.22

## **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 dial 8253 for Corporate and Community Services.

