



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 G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on **WEDNESDAY, 25TH SEPTEMBER, 2024 at 6.30 pm.**

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 a correct record the minutes of the meeting held on 17 July 2024 (attached) (Pages 13 - 24)
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 Bell

"Winter Fuel Allowance

This council notes the recent announcement by the new Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of

Pension Credits and other benefits. We thank our MP, and other Liberal Democrat MPs, for the work they have done in Parliament in highlighting many peoples shared concerns regarding this decision.

Though many agree that universal Winter Fuel Payments have been poorly administered in the past, Council is deeply concerned that many pensioners on lower and middle incomes as well as working pensioners will now not receive the payments and have had inadequate time to budget for this loss in the coming months. Across England and Wales the number of people eligible for winter fuel payments will fall by 10 million (from 11.4 million to 1.5 million). In addition Council further notes that the Energy Price Cap is due to rise by 10% in October, which combined by the removal of Winter Fuel Payments will push many local pensioners further into fuel poverty. As well as the hardship on local pensioners, this will create an additional burden on healthcare services over the winter months due to many more pensioners struggling to meet the increased cost of eating and heating.

In North Devon the number of pensioners is around 22,000 (23% of our population). After the cut, only around 2,400 pensioners will continue to receive the allowance.

Council believes that the Government has set the threshold at which pensioners do not qualify for Winter Fuel Payments far too low. Only those receiving a pension of less than £218.15 a week (or £332.95 a week for couples) are eligible for pension credits. This is significantly lower than the living wage rate. It also means that pensioners who continue to work through necessity to top up their pension, will be losing out because of their continued hard work. If the winter fuel payment cut is to go ahead then a more sensible metric is required to allow the government to more precisely ensure that fuel allowance is paid to everyone who requires it.

In addition, Council is also concerned by the low take up of pension credit with only 63% of those eligible nationwide receiving them – this equates to over 1,000 North Devon pensioners. North Devon Council recognises the role we have to play to increase awareness of benefits such as Pension Credit and also the Household Support Scheme to ensure people are aware of the support they are entitled to.

Council resolves to:

- Instruct the Leader of the Council to write to the Chancellor of the Exchequer calling for the policy on linking Winter Fuel Payments to Pension Credit receipt to be immediately paused and introduce a new threshold to determine eligibility for Winter Fuel Payments.
- Request all North Devon Council group leaders sign the above letter to show our support for this measure.
- Urgently commence a significant awareness campaign through all available media to maximise uptake of pension credits and the availability of household support fund. It is expected that all councillors will return to their Parish and Town Councils to maximise uptake of essential local support as

well as supporting parish and town “warm space” initiatives.”

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

This Council notes:

1. The proposal to remove Winter Fuel Payment (WFP) from pensioners who do not claim Pension Credit or other means tested benefits has the potential to disproportionately affect our most vulnerable residents, particularly those in rural communities. Over 63% of those eligible for Pension Credit nationally are claiming it, leaving over 800,000 not doing so. The Energy Price Cap is due to rise by 10% in October, which combined with the removal of the WFP, will push many local pensioners into poverty.
2. Rural pensioners often live in older, less energy-efficient housing, with over 70% of rural homes in the UK built before 1980. These homes are typically harder and more expensive to heat due to poor insulation and outdated heating systems.
3. Excess winter deaths (EWD) remain a serious concern, with over 30,000 EWDs recorded in the UK each year, disproportionately affecting older populations. Public Health England reports a 1.5% increase in EWDs for every degree Celsius drop below 18 degrees, underscoring the critical need for adequate heating.
4. That all pensioners deserve to live in warm, safe homes, and that removing support will increase the risk of cold-related illnesses and excess winter deaths amount our elderly population.

This Council resolves to:

1. Condemn the proposal to remove the Winter Fuel Payment from pensioners who do not claim Pension Credit or other benefits, recognising the disproportionate impact this will have on our most vulnerable residents, particularly those in rural communities.
2. Commits to write to the Secretary of State for Housing, Community and Local Government to ask for funding for a local advertising and outreach campaign to raise awareness about Pension Credit and other benefits, targeting pensioners who may be eligible but are not currently claiming.

7. Declarations of Interest

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. A declaration of interest under the Code of Conduct will be a Disclosable

Pecuniary Interest, an Other Registrable Interest or a Non-Registrable Interest. If the item directly relates to your interest you must declare the interest and leave the room for the item, save in the case of Other Registrable Interests or Non-Registrable Interests where you may first speak on the item as a member of the public if provision has been made for the public to speak. If the matter does not directly relate to your interest but still affects it then you must consider whether you are affected to a greater extent than most people and whether a reasonable person would consider your judgement to be clouded, if you are then you must leave the room for the item (although you may speak as a member of the public if provision has been made for the public to speak) or, if you are not, then you can declare the interest but still take part).

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 25 - 26)
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 1 of 2024/25** (Pages 27 - 82)
Report by Director of Resources and Deputy Chief Executive to the Strategy and Resources Committee on 5 August 2024 (attached).
 - (a) Report of the Policy Development Committee
To receive the report of the Policy Development Committee held on 12 September 2024 (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 5 August 2024 (attached).
13. **Local Government Association Coastal Special Interest Group event - 17 to 19 September 2024**
Councillor Wilkinson, Lead Member for Coastal Communities to report.
14. **Outside Body Appointments - amendments**

- (a) Devon Districts Forum
To consider the appointment of a Councillor to replace Councillor Roome on the Devon Districts Forum for the life of Council and that attendance at meetings be an approved duty.
- (b) Northern Devon Growth Board
To consider the appointment of a Councillor to replace Councillor Roome on the Northern Devon Growth Board for the life of Council and that attendance at meetings be an approved duty.
- (c) North Devon+
To consider the appointment of a Councillor to replace Councillor Roome on the North Devon+ who would be required to act as a Director of the company for the life of Council and that attendance at meetings be an approved duty.
- (d) One Ilfracombe
To consider the appointment of a Councillor to replace Councillor Roome on One Ilfracombe who would be required to act as a Director of the company for the life of Council and that attendance at meetings be an approved duty.

15. **Harbour Board - appointment of additional Member**

Following the amendment to Part 3, Annexe 1, paragraph 6 of the Constitution which states:

“In addition to 5 Members, (at least one of which shall be a Ward Member for Ilfracombe East and one shall be the Ward Member for Lynton and Lynmouth), 5 Independent Members (who are not Members of the Council) are appointed to provide experience and expertise in harbour management.”

It is RECOMMENDED that an additional Member who is the Ward Member for Lynton and Lynmouth be appointed to the Harbour Board for the 2024/25 municipal year.

16. **Change of date of future Council meeting - April 2025**

To consider whether to change the date of the meeting of Council that was scheduled to be held on Wednesday 30 April 2025 at 6.30 pm to be held on Wednesday 23 April 2025 at 6.30 pm instead as the original date is the day prior to the Devon County Council elections.

17. **Update to Constitution - Delegated Powers to Harbour Board**

To consider the recommendation of the Governance Committee held on 23 September 2024 (to follow).

18. 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 85 - 96)
 - (i) 25 July 2024
- (b) Harbour Board (Pages 97 - 104)
 - (i) 6 August 2024
 - a. Minute 20: Formation of the Ilfracombe Harbour Advisory Committee
- (c) Planning Committee (Pages 105 - 116)
 - (i) 26 June 2024
 - (ii) 3 July 2024
- (d) Policy Development Committee (Pages 117 - 130)
 - (i) 18 July 2024
 - (ii) 12 September 2024 (to follow)
- (e) Strategy and Resources Committee (Pages 131 - 150)
 - (i) 5 August 2024
 - (ii) 2 September 2024
 - a. Minute 50: Abandoned Vehicles – Devolved Power Partnership DVLA
 - b. Minute 52: Pavement Licensing Legislative Amendments and Variation to Fees
 - c. Minute 54: Local Authority Housing Fund Round 3

PART B (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

17.09.24

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. Members of the public that attend meetings must be aware that these meetings are open to the public and so therefore both individuals and the Council itself have the right to record the meeting. The Council understands that some members of the public attending its meetings may not wish to be filmed. The Chair of the meeting will make sure any request not to be filmed 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 Chair 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 recording should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be filmed. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be filmed must advise the Chair at the earliest opportunity to allow them to be directed to an area in the room where they will not be caught on camera. Subject to paragraphs 1, 2 and 3 above, audio recordings shall be permitted at all times during public meetings.
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.

Room G107 is located on the first floor of the South West Institute Development building at Petroc, Old Sticklepath Hill, Barnstaple, Devon EX31 2BQ. A lift is available to the first floor.

The following page shows a location plan of Petroc.

G Block on the plan indicates the South West Institute Development building.

Parking

Point 5 on the plan indicates the short stay car park which is located adjacent to the South West Institute Development building which is free to park after 5.00 p.m.

Cycle Racks

Covered cycle racks are located on the grassed area opposite Petroc's main reception, before the Lifestyle building.

Bus Routes

Stops in **Sticklepath Hill** (East bound) bus service 310
Wrey Arms (West bound) bus services 5B, 21, 21A, 21C, 62C, 322, 386, 646, 815, 821, 903, 921
([Sticklepath, Barnstaple – Bus Times](#))

Fire evacuation procedures

Fire evacuation procedures - Upon hearing a constant 2-tone alarm, please leave the building via your nearest marked fire exit and make your way to the nearest assembly point which is the short stay car park (Point 5 on the map). Lifts are not to be used. Please do not take time to pick up personal belongings and leave the building promptly.

