

NORTH DEVON COUNCIL

Minutes of a meeting of Council held at G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on Wednesday, 25th September, 2024 at 6.30 pm

PRESENT: Members:

Councillor Walker (Chair)

Councillors Bell, Biederman, Bishop, Bulled, Bushell, Cann, Clayton, Crabb, Hunt, Jones, Jusef, R Knight, Lane, C Leaver, P Leaver, Lethaby, Lovering, Maddocks, Maskell, Norman, Orange, Patinos, Prowse, Quinn, Roome, Stevenson, Topps, Turton, Wilkinson, Williams, Wilson, Worden and York

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive and Senior Solicitor and Monitoring Officer

Also Present virtually:

Councillor Davies

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Davies, Denton, Haworth-Booth, D. Knight, Renshaw and Spear.

The Senior Corporate and Community Services Officer advised that Councillor Davies would be joining the meeting virtually.

32. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 17 JULY 2024 (ATTACHED)

RESOLVED that the minutes of the meeting held on 17 July 2024 (circulated previously) be approved as a correct record and signed by the Chair.

33. CHAIR'S ANNOUNCEMENTS

(a) Boxphish Training for Councillors

The Chair reminded all Councillors to complete the Boxphish training modules on their iPads. Due to an increase in cyber crime and online scams, it was important that all Councillors complete the training modules as soon as possible. If Councillors

hadn't completed any to-date, there were now two modules to complete and that each module would only take around five minutes to complete.

(b) Apologies for meetings

The Chair reminded all Councillors that if they were unable to attend a meeting, that they inform the Corporate and Community Services team prior to the meeting.

34. BUSINESS BROUGHT FORWARD BY OR WITH THE CONSENT OF THE CHAIR

(a) Order of Agenda

It was moved by Councillor Worden and seconded by Councillor Patrinos "that item 7 be considered before item 6 on the agenda, to allow for the Declarations of Interest to be recorded prior to item 7".

RESOLVED that item 7 be considered before item 6 on the agenda, to allow for the Declarations of Interest to be recorded prior to item 7".

35. 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

There were no questions submitted by the Public and/or Petitions received under Part 4, Council Procedure Rules, Paragraphs 8 and 9 of the Constitution.

36. DECLARATIONS OF INTEREST

The following declarations of interest were declared for transparency reasons in relation to item 6 "Notices of motions regarding Winter Fuel Allowance":

Councillor Bell - as his mother, father and mother-in law would be eligible to receive winter fuel payments

Councillor Bishop – as he would be eligible to receive winter fuel payments

Councillor Bulled - as her husband would be eligible to receive winter fuel payments

Councillor Cann - as she and close relative living in North Devon Council area would be eligible to receive winter fuel payments

Councillor Hunt – as her husband would be eligible to receive winter fuel payments

Councillor R. Knight – as he would be eligible to receive winter fuel payments

Councillor Lane – as he would be eligible to receive winter fuel payments

Councillor Lovering - as her parents would be eligible to receive winter fuel payments

Councillor Patrinos - as he and his wife would be eligible to receive winter fuel payments

Councillor Prowse – as he would be eligible to receive winter fuel payments

Councillor Williams - as she and her husband would be eligible to receive winter fuel payments

Councillor Wilkinson – as he would be eligible to receive winter fuel payments

Councillor Wilson - as her parents would be eligible to receive winter fuel payments

Councillor Worden - as he would be eligible to receive winter fuel payments

37. 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) and (b) To consider notices of motion from Councillor Bell and Councillor Maskell

The Chair advised that the two notices of motion submitted in relation to the Winter Fuel Payments were similar and suggested that Councillor Bell’s notice of motion be amended to incorporate paragraph 2 of Councillor Maskell’s notice of motion.

Councillor Bell presented his notice of motion to Council and moved the notice of motion subject to the inclusion of paragraph 2 of Councillor Maskell’s notice of motion.

An amendment was moved by Councillor P. Leaver and seconded by Councillor C. Leaver “Councillor Bell’s notice of motion subject to the inclusion of paragraph 2 of Councillor Maskell’s notice of motion and that the Strategy and Resources Committee be requested to look at how the Household Support fund could be used to help pensioners who fall just outside of pension credit”.

The Deputy Chief Executive and Director of Resources advised that Government guidance for the Household Support fund was expected shortly and that once the guidance had been received, further work could be carried out on modelling options for the allocation of the Household Support Fund to be considered by the Strategy and Resources Committee.

Councillor Maskell advised Council that she would be happy to support the amended motion with the inclusion of paragraph 2 of her notice of motion. She advised that all MPs should be thanked for their work and not just Liberal Democrat MPs and requested that reference to Liberal Democrat MPs was removed from the notice of motion.

Councillor Bell advised that he was happy to take on board the amendment proposed by Councillor P. Leaver and the removal of the wording “other Liberal Democrat” within his motion.

The Chief Executive advised that in relation to paragraph 2 of Councillor Maskell’s notice of motion, the Council had already written to 280 households where the Council were aware their declared income was below the threshold and they were not claiming Pension Credit. The Council had also undertaken a social media campaign.

In response to a question, the Deputy Chief Executive and Director of Resources advised that the Council had been proactive in contacting households and that he was not aware of any other Councils taking this approach. Devon County Council had highlighted it as an example of good practice to other Councils.

Following discussions by Council, the Chief Executive clarified the amended wording of the notice of motion.

The amended wording of the motion was taken on board by Councillor Bell and seconded by Councillor Maskell “that Councillor Bell’s notice of motion be adopted subject to:

- First point for Council to note to amend to remove the wording “Liberal Democrat”.
- Additional point be added for Council to note (bullet point of Councillor Maskell’s notice of motion) “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.”
- First bullet point wording be amended “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” to also include **the Secretary of State for Housing, Community and Local Government**;
- Third bullet point be amended to amend and delete wording “~~Urgently commence a~~ **Continue its** 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.”
- That the Strategy and Resources Committee be requested to look at how the Household Support fund could be used to help pensioners who fall just outside of pension credit.

The motion was carried.

RESOLVED that:

- (a) This council notes:
- a. the recent announcement by the new Labour Government to end universal winter fuel payments and restrict eligibility to only those in receipt of 2 Pension Credits and other benefits. We thank our MP, and other MPs, for the work they have done in Parliament in highlighting many peoples shared concerns regarding this decision.
 - b. 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.
 - c. 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.
 - d. 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.
 - e. 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.
 - f. 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.
- (b) That the Leader of the Council be instructed to write to the Chancellor of the Exchequer and the Secretary of State for Housing, Community and Local Government 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.
- (c) That all North Devon Council group leaders be requested to sign the above letter to show our support for this measure.

- (d) Continue its 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.”
- (e) That the Strategy and Resources Committee be requested to look at how the Household Support fund could be used to help pensioners who fall just outside of pension credit.

38. CHAIR'S REPLIES TO ANY QUESTIONS TO COUNCIL BY MEMBERS SUBMITTED UNDER PART 4, COUNCIL PROCEDURES RULES, PARAGRAPH 10 OF THE CONSTITUTION

There were no questions received by Members submitted under Part 4, Council Procedure Rules, Paragraph 10 of the Constitution.

39. REPORT OF THE LEADER OF THE COUNCIL

Council considered and noted a report by the Leader of the Council (circulated previously) regarding work that had been undertaken since the last Council meeting.

In addition to the report, he advised that he and the Deputy Leader had recently met with the Lead Police Officer in Devon and the issue regarding anti-social behaviour in Ilfracombe was raised. As part of the budget process, discussions would take place regarding the possibility of employing additional street marshals and extension of CCTV. He had also met with the newly appointed Interim Principal of Petroc, Kurt Hintz, who had set out his vision for the future of Petroc. In March 2025, the Local Government Association would be carrying out a Peer Review of the Council to look at how the Council was performing. The Local Government Association had also been requested to carry out a review on the Council's governance arrangements. He had also met with the Head of Governance regarding the establishment of a Member Development Working Group, which would provide an opportunity for Councillors to raise their ideas and have an input in a number of areas including Member engagement and the provision of a Members Room. All Councillors would be invited to take part and it was anticipated that the group would meet every 2-3 months. The Government had recently announced that the Devolution deal between Devon County Council and Torbay Council would now go ahead for Devon. £16m had been allocated for the whole of Devon to use for housing and the Council was confident that it would spend its allocation by March 2025.

In response to questions, the Leader advised that he was aware of the financial position and budget pressures of Devon County Council. As of the next Council meeting in November, Lead Members would provide a report on their respective portfolios on a basis of two at each Council meeting and there would be an opportunity to ask questions of the Lead Members.

40. QUESTIONS BY MEMBERS

(a) **Questions by Members**

The following question was submitted in advance of the

meeting and response provided by the Leader was circulated previously:

- (a) Question for the Leader from Councillor Peter Leaver
“The Council, through the Strategy and Resources Committee, agreed to set up a cross party working group to look at the issue of car parks in North Devon. Can you update us on progress with that working group?” Councillor Clayton, Leader’s response “We have received names from the Liberal Democrat and Independent Groups. We have not yet received names from the Conservative Group. As soon as these names have been received, we will be able to start scheduling meetings of the Car Park Review Working Group.” Councillor Crabb confirmed that Councillors Maskell and Quinn would be appointed from the Conservative Group.

41. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2024/25

Council considered a report by the Director of Resources and Deputy Chief Executive regarding the Performance and Financial Management Quarter 1 of 2024/25 to the Strategy and Resources Committee on 5 August 2024 (circulated previously).

- (a) **Report of the Policy Development Committee**
Councillor Patrinos, Vice Chair of the Policy Development Committee presented the Committee’s report on the Performance and Financial Management Quarter 1 of 2024/25 report to the Policy Development Committee on 12 September 2024 (circulated previously).
- (b) **Report of meeting of the Strategy and Resources Committee**
Councillor Clayton, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee held on 5 August 2024 on the Performance and Financial Management Quarter 1 of 2024/25 report.

It was moved by Councillor Clayton and seconded by Councillor R. Knight “that minute 37 (g) of the report of the Strategy and Resources Committee held on 5 August 2024 regarding the Performance and Financial Management Quarter 1 of 2024/25 report be adopted”.

RESOLVED that minute 37 (g) of the report of the Strategy and Resources Committee held on 5 August 2024 regarding the Performance and Financial Management Quarter 1 of 2024/25

report be adopted.

42. LOCAL GOVERNMENT ASSOCIATION COASTAL SPECIAL INTEREST GROUP EVENT - 17 TO 19 SEPTEMBER 2024

Councillor Wilkinson, Lead Member for Coastal Communities provided an update to Council on the Local Government Association Coastal Special Interest Group event that took place in North Devon on 17 to 19 September 2024.

He advised that one of his roles as Lead Member was to sit on the Local Government Association Coastal Special Interest Group. The Group consisted of representatives from over 50 coastal Local Authorities which met four times per year (two of which were in person and the other two online). At the Annual General Meeting in 2023, he had been requested to host the following year's site visit and Annual General Meeting. Therefore this year's event on 17 to 19 September 2024 took place in North Devon.

Councillor Wilkinson outlined the programme of events that took place over this period. On 17 September 2024 this included presentations being given at Woolacombe village hall by the National Trust, RNLI, Park Estates and the North Devon World Surfing Reserve. This was then followed by a presentation being given by the Service Lead Affordable Housing on the Community Land Trust projects at Woolacombe and Ilfracombe. The day finished with a visit to the Tunnels Beaches at Ilfracombe. On the second day, the Harbour Master provided delegates with a tours of the Ilfracombe Harbour, which was then followed by presentations being given at the Ilfracombe Yacht Club by the Place Manager (Economic Development and Regeneration), Head Teacher of Ilfracombe Junior School, Senior Programme Manager for Health Inequalities (NHS Royal Devon University Healthcare) and the UNESCO World Biosphere Reserve Co-ordinator. The Annual General Meeting was held on the third day at the Landmark Theatre.

He advised that the conference allowed for representatives from other coastal areas to discuss common themes and highlighted the need to have a dedicated Minister for Coastal area. The MP for North Devon had now been appointed to the All Party Parliamentary Group Coastal Communities. There had been a terrific input from officers to support this event and he thanked them for their hard work.

The Leader thanked Councillor Wilkinson for his report and for his work with the arrangement of this event.

43. OUTSIDE BODY APPOINTMENTS - AMENDMENTS

Council considered appointments of a Councillor to the Devon Districts Forum, Northern Devon Growth Board, North Devon+ and One Ilfracombe to replace Councillor Roome.

It was moved by Councillor Bushell that Councillor Jones be appointed to the Northern Devon Growth Board.

In response to questions, the Chief Executive confirmed that the Leader of the Council was normally appointed to the Devon Districts Forum and North Devon+. He was not sure if the Northern Devon Growth Board still existed.

Councillor Prowse advised that the Northern Devon Growth Board had not met for a number of years.

Councillor Jones declined the nomination for the appointment to the Northern Devon Growth Board.

It was moved by Councillor Roome and seconded by Councillor Bell that Councillor Clayton be appointed to Devon Districts Forum, Northern Devon Growth Board, North Devon+ and One Ilfracombe to replace Councillor Roome for the life of Council and that attendance at meetings be an approved duty.

The vote was carried.

(a) **Devon Districts Forum**

RESOLVED that Councillor Clayton be appointed 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**

RESOLVED that Councillor Clayton be appointed 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+**

RESOLVED that Councillor Clayton be appointed to replace Councillor Roome on North Devon+ as a Director of the company for the life of Council and that attendance at meetings be an approved duty.

(d) **One Ilfracombe**

RESOLVED that Councillor Clayton be appointed to replace Councillor Roome on One Ilfracombe as a Director of the company for the life of Council and that attendance at meetings be an approved duty.

44. HARBOUR BOARD - APPOINTMENT OF ADDITIONAL MEMBER

It was moved by Councillor Prowse and seconded by Councillor Bushell “that an additional Member, Councillor Patrinos, who is the Ward Member for Lynton and Lynmouth be appointed to the Harbour Board for the 2024/25 municipal year.”

RESOLVED that an additional Member, Councillor Patrinos, who is the Ward Member for Lynton and Lynmouth be appointed to the Harbour Board for the 2024/25 municipal year.

Councillor Biederman left the meeting.

45. CHANGE OF DATE OF FUTURE COUNCIL MEETING - APRIL 2025

It was moved by Councillor Bushell and seconded by Councillor York “that the date of the meeting of Council that was scheduled to be held on Wednesday 30 April 2025 at 6.30 pm be changed and that it be held on Wednesday 23 April 2025 at 6.30 pm instead as the original date was the day prior to the Devon County Council elections.”

RESOLVED that the date of the meeting of Council that was scheduled to be held on Wednesday 30 April 2025 at 6.30 pm be changed and that it be held on Wednesday 23 April 2025 at 6.30 pm instead as the original date was the day prior to the Devon County Council elections.

46. UPDATE TO CONSTITUTION - DELEGATED POWERS TO HARBOUR BOARD

The Senior Solicitor and Monitoring Officer advised Council of the reason for the request to amend the delegated powers of the Harbour Board within paragraph 6 to Annexe 1 to Part 3 of the Constitution which would allow the Board to appoint a committee of harbour users pursuant to the Harbour Revision Order.

Councillor Norman, Chair of the Governance Committee presented the recommendation of the Governance Committee held on 23 September 2024 (circulated previously) to Council.

It was moved by Councillor Norman and seconded by Councillor Roome “that minute 113 of the Governance Committee held on 23 September 2024 regarding the “Update to Constitution – Delegated Powers to Harbour Board” be adopted”.

RESOLVED that minute 113 of the Governance Committee held on 23 September 2024 regarding the “Update to Constitution – Delegated Powers to Harbour Board” be adopted.

47. MINUTES OF COMMITTEES

(a) **Building Control Joint Committee**

RESOLVED that the following minutes of the Building Control Joint Committee (circulated previously) be noted and adopted as follows:

(i) 25 July 2024

(b) **Harbour Board**

RESOLVED that the following minutes of the Harbour Board (circulated previously) be noted and adopted as follows:

(i) 6 August 2024

a. Minute 20: Formation of the Ilfracombe Harbour

Advisory Committee

(c) **Planning Committee**

RESOLVED that the following minutes of the Planning Committee (circulated previously) be noted and adopted as follows:

- (i) 26 June 2024
- (ii) 3 July 2024

(d) **Policy Development Committee**

RESOLVED that the following minutes of the Policy Development Committee (circulated previously) be noted and adopted as follows:

- (i) 18 July 2024
- (ii) 12 September 2024

(e) **Strategy and Resources Committee**

RESOLVED that the following minutes of the Strategy and Resources Committee (circulated previously) be noted and adopted as follows:

- (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

Chair

The meeting ended at 7.36 pm

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