

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, 15th January, 2025 at 6.30 pm

PRESENT: Members:

Councillor Walker (Chair)

Councillors Bishop, Bushell, Cann, Clayton, Coombs, Crabb, Haworth-Booth, Jones, D Knight, R Knight, Lane, C Leaver, Lethaby, Lovering, Maddocks, Norman, Orange, Patrinos, Quinn, Stevenson, Topps, Wilkinson, Wilson, Worden and York

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Senior Solicitor and Monitoring Officer and Place Manager (Town Centres)

Also Present virtually:

Councillors Bell, Bulled and Milton.

71. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bell, Biederman, Davies, Denton, Hunt, Jusef, P. Leaver, Maskell, Roome, Spear, Turton, Whitehead and Williams.

The Senior Corporate and Community Services Officer advised that Councillors Bulled, Milton and Prowse were due to attend the meeting virtually, however they would not be able to take part in voting.

72. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 20 NOVEMBER 2024 (ATTACHED)

RESOLVED that the minutes of the meeting held on 20 November 2024 (circulated previously) be approved as a correct record and signed by the Chair.

73. CHAIR'S ANNOUNCEMENTS

(a) Councillor Becky Coombs

The Chair congratulated Councillor Becky Coombs on being elected to represent the Instow Ward and welcomed her to her first meeting of Council.

(b) Chair Masquerade Ball

The Chair reminded Councillors to respond to her invitation to attend the Chairs Masquerade Ball which was due to take place in February 2025 and that if there were not sufficient numbers then the event would be postponed.

(c) Boxphish Training for Councillors

The Chair reminded Councillors to complete Boxphish training modules on their iPads.

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

There was no business to be brought forward by the Chair.

75. 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.

76. TO CONSIDER MOTIONS OF WHICH NOTICE HAS BEEN SUBMITTED BY MEMBERS IN ACCORDANCE WITH PART 4, COUNCIL PROCEDURE RULES, PARAGRAPH 11 OF THE CONSTITUTION

There were no motions of which notice had been submitted by Members in accordance with Part 4, Council Procedure Rules, Paragraph 11 of the Constitution.

77. DECLARATIONS OF INTEREST

The following declaration of interest was announced:

Councillor Cann – Item 14 Pannier Market Public Spaces Protection Order – prejudicial other registerable interest as the Youth Leader of the Barnstaple Town Youth Marching Band

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

Council noted that no questions had been submitted to the Leader or the Chair of a Committee under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

79. NORTH DEVON+

Council received a presentation regarding North Devon+.

Louise Adam, Programme Delivery Manager outlined the background of North Devon+, the structure of the Board, objectives of North Devon+ and what had been delivered since 2016.

Sarah Colquhoun, Agricultural Business Advisor outlined the agricultural support and programmes that North Devon+ had provided to support local farmers to date.

Fiona Henderson, Clean Maritime and Green Energy Advisor outlined the work and programmes that were being delivered by North Devon+ to be ready for the future in terms of what growth sectors there were and what businesses and jobs would be required. They were also looking at sustainability and supporting decarbonisation and reduction of Greenhouse Gas emissions. She outlined North Devon+ role in the key growth area for providing technologies and solutions for the future and provided an updated on Clean Maritime and Green Energy in terms of business development and skills. She advised that the next North Devon and Torridge Maritime Network was due to take place on Thursday 15 February 2025 at North Devon Yacht Club, Instow.

RESOLVED that the meeting be adjourned for a short period due to a medical incident.

RESOLVED that it being 6.59 p.m. that the meeting be reconvened.

There then following a question and answer session.

In response to questions, Louise Adam advised the following:

- In relation to future funding of North Devon+ post 31 March 2025, that discussions were taking place with North Devon and Torridge District Councils regarding the continuation of funding for some projects and use of the UK Shared Prosperity Fund.
- Of the 478 farming businesses that were being provided with support in Devon, that she would find out the number of businesses being provided with support in North Devon and Torridge and report back. Farming businesses were finding it incredibly complex in terms of applying for funding. As part of the Future Farm Resilience project, advisors have visited a number of businesses on site to go through the documents with farmers and provided advice on how to maximise funding applications. It was incredibly difficult for farming businesses to keep up to date and understand how to claim for funding and their role was to help and support them.

In response to questions, the Chief Executive advised the following:

- That discussions had taken place regarding the use of the UK Shared Prosperity Fund to fund the work of North Devon+. There was a further allocation for 2025/26 which would be awarded to the County Combined Authority. The arrangements for the allocation and use of this fund would be subject to further consideration by Council following further discussions with

the County Combined Authority and whether there were any constraints on the use of this fund.

- Green hydrogen would be taken into account as part of the Local Plans process. There was close co-operation between the Local Plans team and Fiona Henderson.
- As the Chief Executive of the company, North Devon+ consisted of a small team which did a fantastic job in supporting businesses. He saw the positive feedback that was received from businesses and there was no negative feedback. They also provided support to help businesses start up. Both North Devon and Torridge District Councils owned North Devon+, which was unique as no other District Councils had done this.

80. 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 response to a question, the Leader advised that it was very important to continue to meet with Parish and Town Councils and was due to meet with Swimbridge Parish Council next week. Parish and Town Councils had welcomed the meetings. He advised that the Councillor Devolution Workshop would be taking place on Friday 17 January 2025. It was a cross party workshop involving six Councillors. Discussions that took place would be shared with all Councillors.

81. QUESTIONS BY MEMBERS

Council noted that no questions had been submitted to the Leader or the Chair of a Committee under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

82. LEAD MEMBERS REPORTS

(a) **Lead Member for Waste and Recycling**

Council considered and noted a report by the Lead Member for Waste and Recycling (circulated previously).

The Chair advised Council that Councillor Hunt, Lead Member for Waste and Recycling was not present at the meeting and asked if there were any questions.

In response to questions raised, the Leader of the Council thanked Councillor Hunt for preparing the report and advised that the improvement of recycling rates needed to be prioritised over the next 12 months. A report would be presented to a future meeting of the Strategy and Resources Committee on proposals to improve recycling rates.

In response to questions regarding improving recycling rates, the Deputy Chief Executive and Director of Resources advised that the Council had undertaken steps to improve recycling

rates by investing in the infrastructure and machinery to make the processing of recycling materials six times more efficient, which would create capacity in the processing hall. The Government had recently announced simpler recycling reforms. The Council was already collecting materials separately in line with these reforms. The improvements to the infrastructure would aim to improve the Council's recycling rates.

(b) **Lead Member for Regeneration, Economic Development and Planning**

Council considered and noted a report by the Lead Member for Regeneration, Economic Development and Planning (circulated previously).

The Chair advised Council that Councillor Prowse, Lead Member for Regeneration, Economic Development and Planning was not present at the meeting and asked if there were any questions.

In response to questions, the Leader of the Council thanked Councillor Prowse for his report and work that he had undertaken and advised Council that we were lucky to have Councillor Prowse in this role and that he was doing a fantastic job.

In response to questions, the Chief Executive advised the following:

- That the Government were in the process of discussing interventions for Local Authorities who were not able to deliver the new housing target set by Government and further information would be provided in the future.
- The Council had a number of houses approved as part of the planning process but was at the mercy of developers with bringing forward developments or not.

83. PANNIER MARKET PUBLIC SPACES PROTECTION ORDER

Councillor Cann declared a prejudicial other registerable interest in this item and left the meeting during the consideration thereof.

Council considered a report by the Place Manager (Town Centres) (circulated previously) regarding the Pannier Market Public Spaces Protection Order.

In response to questions, the Chief Executive advised that the Council was aware of the complaint that had been made by a member of the public which had been made in relation to an incident in the Pannier Market when its doors were left closed for too long on Christmas Eve. He advised that this was a separate issue.

In response to questions, the Place Manager (Town Centres) advised the following:

- Referred Council to Appendix E of the report which set out the rationale for the proposed changes to the closure times and detailed the 9 recent incidents that had occurred since August 2024. This provided the evidence for the change in closure times as incidents had occurred early in the morning.
- The permanent closure of the road through the Pannier Market was a very complicated process and had been considered previously and it could not be achieved. Further discussions would need to take place with Devon County Council in relation to a permanent closure of the road and officers would investigate other legal avenues to achieve a potential permanent closure.

It was moved by Councillor Norman and seconded by Councillor Crabb that the recommendations in the report be adopted.

RESOLVED:

- (a) That North Devon Council makes a further Public Spaces Protection Order for a period of 3 years in relation to the Pannier Market, Barnstaple, as per the order attached at Appendix A;
- (b) That the outcomes of the Equality Impact Assessment as summarised in paragraph 6 of the report be noted.

84. COUNCIL TAX BASE 2025/26

Council considered a report by the Director of Resources and Deputy Chief Executive (circulated previously) regarding the Council Tax Base for 2025/26.

The Director of Resources and Deputy Chief Executive highlighted the following:

- A large proportion of the 6.31% increase in the Council Tax Base equated to the second homes premium.
- There were an additional 605 properties in the tax base compared to 2024/25.
- A 1% growth in Council Tax support had been built into the base calculation. There were no planned changes to the Council Tax reduction scheme.
- The collection rates for 2022/23 were 97.24% and 2023/24 96.98%. It was proposed to keep the 97.5% collection rate target and that it would be reviewed next year.
- There were some exceptions to the payment of Council Tax second homes premium which were set out in legislation.
- It was estimated that the additional tax base from second homes premium would reduce by 15% taking account of the exceptions.

Councillor Lane declared an interest for transparency reasons as he owned more than one property.

It was moved by Councillor Worden and seconded by Councillor Patrinos that the recommendations in the report be adopted.

RESOLVED:

- (a) That the report for the calculation of the Council Tax Base for 2025/26 be approved;
- (b) That pursuant to the report and in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the amount calculated by North Devon District Council as its schedule for 2025/26 shall be as shown on the schedule attached to the report.

85. NORTH DEVON COUNCIL (OFF STREET PARKING PLACES) ORDER 2025

Council considered a report by the Parking Manager to the Strategy and Resources Committee on 6 January 2025 (circulated previously) regarding the North Devon Council (Off Street Parking Places) Order 2025.

The Director of Resources and Deputy Chief Executive presented the report to Council. He advised the following:

- That a Car Parks Working Group had been formed and Councillors were selected by Group Leaders to sit on the Group. The Working Group had met in September, October and November 2024 and had considered a range of data. The options from the Working Group had been put forward to the Strategy and Resources Committee and Policy Development Committee. The proposed changes to car park charges were still less than neighbouring authorities.
- At the meeting of the Strategy and Resources Committee on 6 January 2025, Councillor Crabb had raised a query regarding the charges for Ropery Road car park in Ilfracombe. He advised that Ilfracombe Town Council had further considered and approved the charges and had increased the Summer charges back to £1.50 per hour, Winter charges to £0.90 per hour, motorhome charges to £15 for 24 hour stay and weekly ticket charges increasing to £56 for the week. He recommended that the off street parking order in relation to the Ropery Road car park be amended to reflect the changes approved by the Ilfracombe Town Council.
- He referred to the amended North Devon (Off Street Parking Places) Order 2025 which had been published as a supplementary document with the Council agenda following consideration by the Strategy and Resources Committee on 6 January 2025.

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

Councillor Patrinos, Vice-Chair of the Policy Development Committee presented the Committee's report on the North Devon Council (Off Street Parking Places) Order 2025 to the Policy Development Committee on 13 January 2025 (circulated previously).

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

Councillor Clayton, Chair of the Strategy and Resources Committee presented the Committee's report on the North

Devon Council (Off Street Parking Places) Order 2025 to the Strategy and Resources Committee on 6 January 2025 (circulated previously).

It was moved by Councillor Leaver and seconded by Councillor Haworth-Booth “that minute 99 (h) of the report of the Strategy and Resources Committee held on 6 January 2025 regarding the North Devon Council (Off Street Parking Places) Order 2025 be adopted subject to the Order being amended in relation to the Ropery Road car park, Ilfracombe to include the following amendments Summer charges £1.50 per hour, Winter charges £0.90 per hour, motorhome charges £15 for 24 hour stay and weekly ticket charges £56”.

RESOLVED that minute 99 (h) of the report of the Strategy and Resources Committee held on 6 January 2025 regarding the North Devon Council (Off Street Parking Places) Order 2025 be adopted subject to the Order being amended in relation to the Ropery Road car park, Ilfracombe to include the following amendments Summer charges £1.50 per hour, Winter charges £0.90 per hour, motorhome charges £15 for 24 hour stay and weekly ticket charges £56.

86. PROPOSED COMMITTEE TIMETABLE OF MEETINGS FOR 2025 TO 2026

Council considered a report by the Senior Corporate and Community Services Officer (circulated previously) regarding the proposed committee timetable of meetings for 2025 to 2026.

It was moved by Councillor Patrinos and seconded by Councillor Worden that the recommendation in the report be adopted.

RESOLVED that the timetable of Council and Committee meetings for 2025 to 2026 (as detailed in Appendix A) be adopted.

87. AMENDMENT TO ANNEXE 2 TO PART 3 CONSTITUTION

Council considered a report by the Senior Solicitor and Monitoring Officer (circulated previously) regarding an amendment to Annexe 2 to Part 3 of the Constitution.

In response to a question, the Senior Solicitor and Monitoring Officer advised the following:

- The proposed amendment to the delegated power given to the Chief Executive to allow for an ability to approve early retirement for staff where there was a small pension strain cost (not material) by a member of staff. The small pension strain cost referred to no net cost to the Council calculated over a six month period. Within a six month period there would be nil cost to the Council.

In response to a question, the Director of Resources and Deputy Chief Executive advised the following:

- Currently when there was an early retirement, it often resulted in other structural changes within the service. Sometimes there was a small pension strain cost to the Council that would be offset by these structural changes, however in those circumstances a report would previously have needed to be presented to the Governance Committee seeking approval. This resulted in a delay in the decision making process and net savings not being achieved earlier. Any requests for early retirement where savings could not be achieved within the six month period, would still require a decision to be taken by the Governance Committee.

It was moved by Councillor Norman and seconded by Councillor Topps that the recommendation in the report be adopted.

RESOLVED that the Council varies paragraph 3.25 to Part 3 Annexe 2 of the Constitution with the addition of the underlined text as follows:

To determine applications for flexible and early retirement and also for early release of pension where the decision will not result in a net cost to the Council calculated over the following six months from the applicable date.

88. OUTSIDE BODY APPOINTMENTS

(a) **Devon Housing Task Force/Devon and Torbay Housing Advisory Group**

Council considered the appointment of a Member to the Devon Housing Task Force/Devon and Torbay Housing Advisory Group for the life of Council and that attendance at meetings be an approved duty.

It was moved by Councillor Topps and seconded by Councillor Worden “that Councillor Bell, Lead Member for Housing be appointed to the Devon Housing Task Force/Devon and Torbay Housing Advisory Group for the life of Council and that attendance at meetings be an approved duty”.

RESOLVED that Councillor Bell, Lead Member for Housing be appointed to the Devon Housing Task Force/Devon and Torbay Housing Advisory Group for the life of Council and that attendance at meetings be an approved duty.

In response to a question, the Chief Executive advised that the Devon Districts had set up the Devon Housing Task Force and it had now morphed into the Devon and Torbay Housing Advisory Group which would sit under the County Combined Authority. This Advisory Group would not be considering

housing for North Devon as this would fall to the Joint Planning Policy Committee. He would find out if substitute Members were permitted to be appointed and if this was permitted, a report would be presented back to a future meeting of Council to appoint a substitute for Councillor Bell.

(b) **Devon and Torbay Combined Authority Scrutiny Committee**

Council considered the appointment of a Member to the Devon and Torbay Combined Authority Scrutiny Committee for the life of Council and that attendance at meetings be an approved duty.

It was moved by Councillor York and seconded by Councillor Caroline Leaver “that Councillor Clayton, Leader of the Council be appointed to the Devon and Torbay Combined Authority Scrutiny Committee for the life of Council and that attendance at meetings be an approved duty”.

RESOLVED that Councillor Clayton, Leader of the Council be appointed to the Devon and Torbay Combined Authority Scrutiny Committee for the life of Council and that attendance at meetings be an approved duty.

89. MINUTES OF COMMITTEES

(a) **Governance Committee**

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

(i) 12 November 2024

a. Minute 128: Government Consultation – Enabling Remote Attendance and Proxy Voting at Council meetings

b. Minute 132: Letter of Representation (NOTE: This recommendation was adopted by Council at its meeting on 20 November 2024)

(ii) 7 January 2025

a. Review of Chief Officer Salary Levels

(b) **Harbour Board**

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

(i) 5 November 2024

(c) **Licensing and Community Safety Committee**

RESOLVED that the following minutes of the Licensing and

Community Safety Committee (circulated previously) be noted and adopted as follows:

(i) 10 December 2024

(d) **Planning Committee**

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

(i) 6 November 2024

(ii) 4 December 2024

(e) **Policy Development Committee**

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

(i) 12 December 2024

(f) **Strategy and Resources Committee**

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

(i) 2 December 2024

a. Minute 88 (c): Approval and Release of S106 Public Open Space Funds – Tarka Leisure Centre, Barnstaple

(ii) 6 January 2025

a. Council Tax Reduction Scheme

b. Council Tax Discounts and Premiums

c. Approval and Release of S106 Public Open Space Funds- Croyde and South Molton

d. Review of the North Devon Council (Off Street Parking Places) Order 2025 (NOTE: This recommendation was considered under item 16(b) of the agenda)

Chair

The meeting ended at 7.53 pm

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