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

K. Miles
Chief Executive.

STRATEGY AND RESOURCES COMMITTEE

A meeting of the Strategy and Resources Committee will be held in the Barum Room - Brynsworthy on **MONDAY, 7TH OCTOBER, 2024 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. For meetings held at Brynsworthy only, you can join the meeting virtually via Microsoft Teams. There are also limited spaces to attend the meeting in person. 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)

Members of the Strategy and Resources Committee Councillor Clayton (Chair)

Councillors Bell, Crabb, Hunt, D Knight, R Knight, Lane, C Leaver, P Leaver, Maskell, Milton, Prowse and Wilkinson

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting held on 2 September 2024 (attached) and that minute 42 of the meeting held on 5 August 2024 be amended as follows: (Pages 5 - 12)
To include an additional resolution, (e), as follows:
“(e) That the 200% second homes council tax collected in North Devon be passed back to North Devon for use on housing in North Devon.”
3. Items brought forward which in the opinion of the Chair should be considered by the meeting as a matter of urgency.
4. Declarations of Interests.
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).

5. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

6. **Material Recovery Infrastructure Project Update**

The Head of Environmental Enhancement to report.

7. **Pest Control Service** (Pages 13 - 24)

Report by Lead Environmental Health Officer (Environmental Protection) (attached)

8. **Future High Street Project Update** (Pages 25 - 30)

Report by Head of Place, Property and Regeneration (attached)

9. **Lynmouth Sea Pool** (Pages 31 - 36)

Report by Property Manager (attached).

10. **Household Support Fund 6**

The Head of Customer Focus to report.

PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

27.09.24



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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.
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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.

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All public meetings held at Brynsworthy Environment Centre are held on the ground floor and are accessible through the main entrance to the building or via a ramp located adjacent to the main entrance



NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held in the Barum Room - Brynsworthy on Monday, 2nd September 2024 at 10.00 am

PRESENT: Members:

Councillor Clayton (Chair)

Councillors Bell, Crabb, Hunt, C Leaver, P Leaver, Maskell, Prowse and Wilkinson

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Head of Environmental Enhancement, Head of Customer Focus, Head of Programme Management and Performance, Senior Solicitor and Monitoring Officer, Place Manager Economic Development and Regeneration, Lead Environmental Health Officer Environmental Protection and Public Protection Manager

Also Present in person:

Councillors Norman and Walker

Also Present virtually:

Councillor R Knight

45. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lane, Milton, D Knight and R Knight (joined virtually).

46. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 5 AUGUST 2024 (ATTACHED)

RESOLVED that the minutes of the meeting held on 5 August 2024 (circulated previously) be approved subject to minute 42 which will be amended and return to committee for approval.

47. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY.

There were no items which in the opinion of the Chair should be discussed urgently.

Change of Order of Agenda

RESOLVED that item 11, Material Recovery Facility Infrastructure Update be considered before item 6, Abandoned Vehicles – Devolved Power Partnership DVLA.

48. DECLARATIONS OF INTERESTS.

There were no declarations of interest announced.

49. MATERIAL RECOVERY FACILITY INFRASTRUCTURE UPDATE

The Committee received an update from the Head of Environmental Enhancement.

The Head of Environmental Enhancement highlighted the following:

- There had been minimum disruption to the waste and recycling rounds during August by the works carried out so far.
- The phased works in the process hall were slightly ahead of schedule. Phase one of this element of the project was now complete and phase 2 had now started on time today
- The erection of the new glass bay was now behind schedule, which was putting pressure on storage space in the yard and process hall. A revised programme and progress report had been requested from the contractors by the project manager.
- Everything else was on track.

In response to a question in relation to an appraisal of the collections, the Head of Environmental Enhancement advised that this summer had been the best summer he was aware of for continued collections.

The Committee noted the update.

50. ABANDONED VEHICLES - DEVOLVED POWER PARTNERSHIP DVLA

The Committee considered a report by the Lead Environmental Health Officer – Environmental Protection (circulated previously).

The Lead Environmental Health Officer – Environmental Protection highlighted the following:

- The Council deals with an average of 25 abandoned vehicles a month.
- Many problem vehicles were untaxed and having access to the Driving, Vehicle and Licensing Agency's (DVLA), data base to confirm whether a vehicle was untaxed would help speed up the process of removal of the vehicle.
- The partnership with DVLA would not mean the Council were doing their work it would allow the Council to have more powers to identify and verify ownership of abandoned vehicles.
- During 2023/24 there was an average of 2,734 untaxed vehicles every month within the North Devon District area.
- The Council would be able to identify target problem areas.
- Vehicles would not be released unless a fee was paid, to ensure there was not a cost to the Council.

In response to a question about privately owned land being accessed for the removal of abandoned vehicles, the Lead Environmental Health Officer – Environmental Protection advised that with the land owners permission we were able to access the vehicles for removal.

In response to a question on whether an untaxed vehicle could be released to a garage to be MOT'd, the Lead Environmental Health Officer – Environmental Protection replied yes.

In response to a question on how quickly this would be up and running, the Lead Environmental Health Officer – Environmental Protection advised that as soon as Officers had completed the training then vehicles could be removed. In a follow up question regarding space for storing removed vehicles the Lead Environmental Health Officer – Environmental Protection advised that the Council was in discussion with the Police regarding use of their compound.

RECOMMENDED to full Council that:

(a) North Devon Council enters into an agreement with the Driving, Vehicle and Licensing Agency (DVLA) as a devolved power partner: and

(b) That the following amendment to North Devon Council's constitution general powers, paragraph 5.18 of Annexe 2, Part 3 be made:

“To authorise all duly appointed Authorised Officers, Authorised Persons, Enforcement Officers and Inspectors to carry out inspections and to exercise powers of entry and other powers necessary for the effective discharge of the Council's Environmental Health functions and Licensing functions as well as to remove abandoned vehicles (such term to include, without limitation untaxed vehicles) on being satisfied on matters upon which the Council is obliged to be satisfied and that all statutory requirements are fulfilled.”

51. CCTV ANNUAL REPORT

The Committee considered a report by the Place Manager (Town Centres), (circulated previously) regarding CCTV Annual update.

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

- Appendix A of the report, pages 33-48 of the agenda, was the North Devon Council Public Space CCTV Annual Report for 2023.
- There were 37 operational cameras across North Devon with one deployable camera.
- Green Lanes shopping centre had an additional 34 cameras that were monitored by SIA licensed operators.
- There were 17 cameras situated at Ilfracombe Harbour which were monitored by the Harbour Master.
- There were 8 cameras in South Molton that were not live monitored but could be reviewed on request.

- Funding from the Devon and Cornwall Police and Crime Commissioner (PCC) in 2021 enabled the North Devon CCTV system to be upgraded and become a hub for the whole of North Devon. Other towns and parishes within North Devon could connect to and be monitored.
- Ilfracombe currently had two cameras and South Molton had eight through the hub.
- The number of incidents and observations (as shown on page 37 of the report) for the service in 2023 were as follows:
 - CCTV staff were involved in 1766 incidents/observations (1827 the previous year)
 - CCTV staff were involved in 96 arrests by Devon and Cornwall Police (96 the previous year)
 - CCTV staff were involved in 438 missing/vulnerable person “events” (316 the previous year)
 - 547 incidents were identified by the operators themselves, through their general monitoring
 - CCTV carried out 575 reviews of footage of which 184 incidents were produced for Police enquiries as evidence.
- Future plans (as shown on page 38 of the report) to include further areas into the scheme as follows:
 - Barnstaple Town Centre cameras at Boutport Street junction with Queen Street and Castle green
 - A mobile camera
 - Anchorwood Business park – approved at previous Strategy and Resources committee
 - Seven Brethren Business park – included as part of the wider carpark development on this site.

In response to a question about where the funding for the future plans for cameras would come from, the Director of Resources and Deputy Chief Executive replied that this would be covered from either S106 funds (Anchorwood Bank), additional infrastructure funding, Police and Crime Commissioner funding and the Seven Brethren car park project budget.

In response to a question about increasing the number of mobile cameras the Council owned, the CCTV officer replied that there was very strict criteria around the use of mobile cameras and that what the Council had was sufficient for our needs.

The Chief Executive advised the Committee that regular partnership meetings were held with Ilfracombe and any additional needs for cameras in Ilfracombe would be taken to those meetings.

In response to a question about best use of camera number 35 monitoring footfall, the Lead Member for Regeneration advised that the statistics collated from this monitoring helped inform bids for funding such as the Future High Street Fund.

RESOLVED

- (a) That the contents of the annual report be noted; and

- (b) That officers ensure that the issue of CCTV is raised as part of the Ilfracombe Task Team meetings.

52. PAVEMENT LICENSING LEGISLATIVE AMENDMENTS AND VARIATION TO FEES

The Committee considered a report by the Public Protection Manager (circulated previously) regarding Pavement Licensing Legislative Amendments and Variation to Fees.

The Public Protection Manager highlighted the following:

- The provisions in part 1 of the Business and Planning Act 2020 were initiated in response to Covid-19 and designed to allow businesses to gain licences quickly.
- These provisions were only originally intended to remain in place for a temporary period but were extended beyond the end date of 30 September 2021.
- As a result of changes made to the Levelling Up and Regeneration Act 2023 those provisions were made permanent and those changes came into effect as of 31 March 2024.
- Section 115E (5) of the Highways Act 1980 was amended. Devon County Council would no longer be issuing pavement licences.
- The amendments also made provision for both a grant and renewal process (previously no renewal process existed under the Business and Planning Act 2020).
- The maximum cap that Councils could now charge was increased from £100 (the current North Devon Council fee) to £350 for premises already holding a pavement licence and £500 for new applications.
- The consultation period and Council's determination period was extended from seven to 14 days for applications received.
- The maximum duration of Pavement licences was extended from one year to two years (for those granted under the new legislation).
- An amendment was made in relation to the consumption of alcohol. The change would now allow the consumption of alcohol in a pavement licenced area where restrictions in respect of public drinking were in place by way of a Public Space Protection Order.
- The changed legislation also now gave the Licensing Authority enforcement powers whereby furniture could be removed from premises not abiding by its Pavement Licence conditions or hours.
- If a person puts removable furniture on a relevant highway for which a licence would be required and there is a lack of compliance with the legislative provisions, the Council may now serve notice to require the person to remove the furniture before a set date, and refrain from putting furniture on the highway unless authorised. If the person then leaves or puts removable furniture on the relevant highway in contravention of the notice, North Devon Council may (Section 7A(4b)):
 - Remove the furniture and store it.
 - Require the person to pay the Authority's reasonable costs in removing and storing the furniture, and refuse to return the furniture until those reasonable costs are paid.

- If within a period of three months beginning with the day on which the notice is given the person does not pay the reasonable costs, or does not recover the furniture, North Devon Council may dispose of the furniture by sale or in any other way it thinks fit, and retain any proceeds of sale to help recover storage costs.
- There were currently 12 Pavement Licences issued by North Devon Council. 11 of those were granted prior to 31 March 2024 and would remain valid until 30 September 2024 (the remaining one granted 31 March 2024 expired April 2026).
- Devon County Council under the former Section 115E Highways Act 1980 issued eight licences.
- The current application fee was £100 per application (maximum cap). The new changes would increase the maximum fees to £500 per grant and £350 per renewal.
- Appendix A of the report detailed the calculations of costs to officers to administer the granting/renewal of a licence.
- Enforcement fees would be applied on a pro rata basis based on cost of storage.

In response to a question on what constitutes street furniture, the Public Protection Manager advised that tables and chairs and patio heaters but not A-frame boards were classed as furniture.

Members were keen to promote the café culture business in Barnstaple and felt the increasing of the fees to the maximum for a new/renewal Pavement licence was prohibitive to small businesses. It was felt that a smaller increase with incremental uplifts in subsequent years until the maximum cap was reached would promote a more positive stance.

RESOLVED

- (a) That the changes made to the Business and Planning Act 2020 by way of the Levelling Up and Regeneration Act 2023 be noted; and
- (b) That officers update current pavement licence procedures to meet legislation set out in the Levelling Up and Regeneration Act 2023 and issue licences of the maximum two-year period (web amendments have already been undertaken to reflect the amended provisions).

RECOMMENDED to Council to approve the following new/amended pavement licence application fees:

- (a) For the grant of a pavement licence to be increased to £250 rising by £100 year on year thereafter until the maximum of £500 is reached;
- (b) For the renewal of a pavement licence to be increased to £250 rising by £50 year on year thereafter until the maximum of £350 is reached; and

- (c) That enforcement fees for removing and storing furniture: reasonable charge will be made in line with cost recovery, be invoiced directly based upon furniture size, weight, and quantity.

53. RURAL ENGLAND PROSPERITY FUND, PROGRAMME CHANGES

The Committee considered a report by the Place Manager Economic Development and Regeneration (circulated previously) regarding Rural England Prosperity Fund, Programme Changes.

The Place Manager Economic Development and Regeneration highlighted the following:

- The Council was awarded around £1.1million, in September 2022, as a 'rural top up' to the UK Shared Prosperity Fund to be delivered over two years (2023/24 and 2024/25).
- There were two strands to the Rural England Prosperity Fund – 'rural business' and 'rural communities'.
- £798,000 was allocated under the rural business strand to be delivered by North Devon +.
- £293,259 was allocated under the rural communities strand to be split between two regeneration projects in Ilfracombe. One of the projects was now completed and the other well under way.
- The Rural England Prosperity Fund covered all rural areas in North Devon, except Barnstaple.
- Since the funding opened to applications in May there had been a low level of applications received.
- The Rural England Prosperity Funds that North Devon Council had been allocated must be spent by 31 March 2025, with any unspent funds being returned to Government.
- In the first year (2023/24) £107,267.59 was spent on 11 grant awards to rural businesses, from the annual £399,000 budget.
- We were able to carry over the remaining £291,732.41 to 2024/25. The starting total for the rural grants scheme (for 2024/25) was £690,732.41.
- In year two (2024/25), since re-opening the scheme in May 2024, there had been 17 enquiries made. Of these nine were likely to come forward. Three were refused as ineligible and six applications were being supported to get through to submission.
- No more than £109,000 would be needed to cover this pipeline of projects, if they were all successfully awarded.
- Marketing to boost awareness of the fund had not seen an increase in applications to date.
- As there were only seven months remaining to be able to spend the funding, it was proposed to move £500,000 to the 'rural communities' strand.

RESOLVED

- (a) That the report be noted and the principle of moving £500,000 out of the rural business strand and into the rural community strand be approved;
- (b) That the continued efforts by North Devon + and North Devon Council to promote and spend the remaining rural business strand allocation through the Rural Business Grants Scheme be noted; and
- (c) That delegated power be given to the Director of Resources and Deputy Chief Executive and the Head of Place, Property and Regeneration, in consultation with the Leader and Lead Member for Regeneration, the approval and processing of related capital projects through the rural community strand using the reallocated funds as outlined in (a) above.

54. LOCAL AUTHORITY HOUSING FUND ROUND 3

The Committee considered a report by the Head of Programme Management and Performance and Environmental Health and Housing, (circulated previously) in relation to Local Authority Housing Fund Round 3.

The Head of Programme Management and Performance and Environmental Health and Housing highlighted the following:

- The Council received funding in round one of the Local Authority Housing Fund and along with match funding from the temporary accommodation programme reserve was able to purchase nine properties.
- The Council declined round two of the scheme, as it was too restrictive.
- In March 2024 Council approved submitting an Expression of Interest in Round Three of the fund and in August 2024 the Ministry for Housing, Communities and Local Government (MCHLG) acknowledged receipt of the Council's signed Memorandum of Understanding (MOU) and delivery plan.
- The Council had been allocated a capital grant of £654,350 and a revenue grant of £4,514 to procure four homes.

RESOLVED that the allocated Local Authority Housing Fund grant of £654,350 and £649,650 capital match funding from North Devon Council, as laid out in section 5.2 of the report, be approved.

RECOMMENDED that Council vary the capital programme by £1,304,000 and that funds be released, subject to the Memorandum of Understanding with the Ministry for Housing, Communities and Local Government, upon such terms and conditions as may be agreed by the Director of Resources and Deputy Chief Executive and the Senior Solicitor and Monitoring Officer.

Chair

The meeting ended at 11.34 am

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



North Devon Council

Report Date: Monday, 7 October 2024

Topic: Pest Control Service

Report by: Darren Hale, Lead Environmental Health Officer Environmental Protection

1. INTRODUCTION

1.1. In 2004, North Devon Council stopped providing a Pest Control service to our residents and businesses, which is advised was due to staff leaving, which coincided with a change in pricing policy. The service was subsequently contracted out to SDK Environmental Limited for a 6 month trial period, which then ceased and not progressed. Local pest control provision to residents was then dependent on national and local pest control companies to provide any services. Environmental Health are duty bound to investigate all reports of rodent and other pest problems and take enforcement action where land owners do not comply.

1.2. The increase in demand for our Environmental Protection Team to respond to rodent and bedbug concerns is relatively high that require considerable time in investigating complaints. A lack of an experienced pest control officer increases the impact on resources and the ability to proactively resolve pest problems within the district.

2. RECOMMENDATIONS

2.1. Members delegate authority to the Head of Planning Housing and Health to develop and implement a North Devon Council operated Pest Control Service.

2.2. Further to recommendation 2.1 above, to recommend to Full Council to amend the Annexe 2 to Part 3 of the Constitution to insert a new paragraph 5.15A as follows:

To provide a pest control service.

2.3. To consider the outcomes of the Equality Impact Assessment as summarised in paragraph 6 of the report.

3. REASONS FOR RECOMMENDATIONS

3.1. A Council operated pest control service would improve operational service efficiency, deliver a comprehensive service for residents and businesses and provide an opportunity to create a commercial income.



4. REPORT

Demand

- 4.1. Assessing the current demand for a Council run pest control service is challenging and likely to have considerable margin of error that needs consideration. As the Council has not provided a pest control service for many years, there is limited council held data. The Environmental Protection Team investigates certain rodent pests using its powers under the Prevention of Damage by Pest Act 1949. However, the majority of these investigations have recommended the complainant enlists the services of an external pest control company. No legal notices requiring pest irradiation have been issued by the Council in the last 3 years, with a single notice back in 2008. There has been a noticeable demand recently in relation to bedbugs both nationally and locally, as a result of a prevalence of the pest. In addition, the Council's Customer Services Team advise that they take frequent calls asking if we do provide this service, but again cannot substantiate those numbers.
- 4.2. The Council's previous pest control service had initially experienced in the region of 1,200 requests for service each year but this dropped to circa 300 when Council's subsidies and staffing were removed. The passage of time means that it is difficult to determine why there was such a dramatic drop but it is reasonable to assume, from some available information, the service was not marketed and to all intents and purposes the Council stepped back from providing a non-statutory service to residents.
- 4.3. There is no evidence that the Council pursued any commercial contracts with housing providers or businesses, which can provide a significant resilience to a pest control service. Given the large leisure and hospitality sector, combined with housing, farming and industrial sites within North Devon District Council there is considerable scope to market services to these establishments.
- 4.4. As private pest control companies are not required to notify the Council or any government body on where and when a pest treatment is carried out, there is no public data on the level of infestations or types of pests. Environmental Protection Team received 72 complaints of pests during the 3 years.
- 4.5. North Devon Council spent £12,000 on procuring pest control services across its own sites in 2023/24, which includes contracts at Brynsworthy Environment Centre, the Crematorium and other premises, as well as spot purchases to deal with problems at other Council owned sites.



Pricing

4.6. Previous North Devon Council pest control service was aimed at providing an almost free pest control service with charges of around £30 for a rodent treatment. Although this charge was some 10 years ago, it would still have required a three part treatment for rodents and if the administration is considered it would have been a cost to the Council. Allowing for inflation it is not believed this could be been a commercially viable service.

4.7. A Council run pest control services can attract a negative response from local pest control businesses due to concern of anti-competitive concerns. This historically has been due to Council's heavily subsidising overheads and even discounting fees and charges.

4.8. Four Councils in Devon now offer some form of pest control service.

- East Devon charge £90 for up to 3 visits for rodents, £60 for wasps and £130 or Fleas and Cockroaches, inclusive of VAT.
- Exeter offer £72 for rat and mice treatment but do not specify the number of visits. Exeter also seem to charge £72 for wasp nest removal but unsure if this means 'removal' or a treatment, as it is unusual to remove a dead nest. For bedbugs, cockroaches and fleas customers are required to call for a quotation.
- Plymouth have advised that they have an annual income of £111,000 for an expenditure of £48,000. Their pest control fees are similar to those proposed below. Plymouth's focus is on its own property, along with the domestic treatments and some commercial that includes Houses in Multiple occupation.
- Teignbridge still offer a free treatment for rodent, via a contractor but are currently reviewing this service. We are advise however that the cost of providing this level of service is £30,000 per year, which is a useful indicator of expected volumes. Their free service is not well advertised and from the website there is no indication of a free service, which would naturally reduce demand.

4.9. The model at Plymouth (albeit a City location) is along the lines of those suitable to North Devon District.

4.10. Given that an active rodent infestation that requires baits and treatment would typical require at least 3 visits, both East Devon and Exeter appear to be providing a highly subsidised service.



4.11. To provide a fair and commercial facing pest control service the fees would need to be in the range set out below. These take into account the geography of the district and allow to offer a quality service to residents and businesses and provide a balance to ensure that cost of providing the service is recovered.

Pests	Standard Fee	Number of visits	Days between visits
Wasps	£82	1	n/a
Fleas	£269	2	14 to 21
Garden ants (black ants)	£105	1	n/a
Cockroaches	£200	2	n/a
Mice	£180	3	7 to 10
Rats	£180	3	7 to 10
Clothes moths (1-3 rooms)	£290	2	14 to 21
Clothes moths (4-6 rooms)	£330	2	14 to 21
Bedbugs (1-3 rooms)	£290	2	14 to 16
Bedbugs (4-6 rooms)	£330	2	14 to 16

4.12. Research of local pest control companies it is difficult to determine their typical fees for various treatments, due to their pricing models.

Income

The table below provides a reasonable estimate of the volumes and income to be confident of ensuring a pest control service recovers the cost. These figures are assumed with 1 FTE Pest Control Officer in post.

4.13.

Volume	Pest	Unit Fee	Total
400	Rats	£180	£72000
100	Mice	£180	£18000
10	Bedbugs	£290	£2900



60	Wasps	£82	£4920
10	Cockroaches	£200	£2000
5	Fleas	£269	£1345
785	Total	890	£92069

4.14. The volumes in the table above are based on officer experience and an analysis of population, domestic and commercial properties and compared to other local authority volumes. The number of treatments of each pest in the table above are predicted at a reasonable level to ensure that the service can be self-sustainable and ensures that all costs of providing the service are recovered.

5. RESOURCE IMPLICATIONS

5.1. To provide a pest control service that is safe, is sustainable and has the quality, it is expected the Council would need to employ a qualified and experienced Pest Control operative that has a minimum of a BPCA Diploma in Pest Control part 1 or Level 2 RSPH qualification. However, if the Council wanted to advance the commercial market and take advantage of the significant income opportunity it would require a more experienced lead officer. Once established there may be an opportunity to take advantage of apprenticeship schemes for additional staff.

5.2. For each experienced pest control officer, a suitable vehicle (light weight van with GRP lining), would be required. In addition the necessary protective equipment and spray and traps etc. It may be possible to repurpose a current NDDC vehicle, to reduce start-up costs and risks.

5.3. A secure storage unit would be required for supplies of baits and poisons and to store waste for disposal via an approved route.

5.4. Estimated figures for on cost of the service that include, staffing, vehicles, equipment and the direct cost of baits and poisons are circa £80,000 in the first full year of providing a service. An estimated income when considering the volumes at 4.13 is anticipated to be in the region of £92,000, which depending on actual volumes, would ensure a total cost recovery of providing the service

5.5. The Council's current Environmental Health system 'Assure' is already capable to holding the information and creating necessary web forms for customers. Current finance payment system could readily be revised to



include online payment for a treatment. Due to the normally urgent nature of the first visit, cheque payments are not advised to avoid debt issues.

5.6. Officers are also aware of a pest control booking system that includes links to council's online payments, case allocation and online reporting that would be free of charge to North Devon, which could be considered as the service develops.

6. EQUALITIES ASSESSMENT

6.1. There are some positive impacts on Equalities from the introduction of a North Devon Pest Control Service. As a Council run service there is direct control of the service provision that we can build into the provision, to ensure positive impacts. The service will monitor equalities data to regularly review the user needs and identify and groups that may not be accessing the service.

7. ENVIRONMENTAL ASSESSMENT

7.1 Introduction of a new service will have a small impact on our corporate carbon footprint. The Council will be able to devise policies to minimise the use of pesticides and their impact on the environment by using integrated pest management techniques, and will be able to use its purchasing power to ensure the lowest environmental risk.

8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: This service has the potential to be developed to provide a commercial element to the service.

8.1.2. Improving customer focus: A Council provided service enables the Council to be able to respond to residents' concerns about pests and provide a customer focused service

8.1.3. Regeneration or economic development: The presence of rodents can significantly impact the look and feel of area and effect the sense of place and adversely impact on economic development and regeneration.

9. CONSTITUTIONAL CONTEXT

9.1. Save as provided in paragraph 9.2 below, the decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in Part 3 Annex 1 of the Constitution.



9.2. As noted in the report, the power to decide on one or more of the recommendations in this report is reserved to Council pursuant to Article 4.5.1 and as such the recommendation must be referred to Council to ratify.

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:
None

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Jon Triggs (Director of Resources and Deputy Chief Executive)

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Equality Impact Assessment

Service Area: Environmental Health and Housing

Head of Service: Nina Lake

Lead Officer: Darren Hale

Date of Assessment: 29/08/2024

Name of policy/function/project/service area to be assessed: North Devon Council Pest Control

Brief description of proposal to be assessed: Provision of a pest control service to domestic and commercial customers throughout North Devon Council area

Proposed implementation date of project/proposal: February 2025

Brief description of the anticipated outcomes of the proposal:

Proposal	Current Arrangement	Proposed Arrangement	Comment
Provision of a Council run pest control service	Reliant on national and local pest control companies to provide a service	To offer a quality, fair but competitively priced pest control service	There is no proposal to offer discounts to any protected groups but by having clear and transparent pricing will greatly assist vulnerable groups in making informed decisions.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.

Consultation:

Brief description of any consultation undertaken with stakeholders and summarise the results and how it has influenced the proposal or not. Please attach a summary of consultation results or other relevant reports:

None

Demographic Data by protected characteristic:

Please detail the Census 2021 data for protected characteristics for North Devon (as detailed in the EIA Guidance for Managers and on NDC website):

None

Equality Data by protected characteristic from consultation:

Please detail the equality data obtained as part of the consultation and compare this data to the Census 2021 data (as detailed in the EIA Guidance for Managers and on NDC website) and identify where this data does not reflect the demographics for North Devon and any disparities in outcomes by characteristic:

None

Other Data:

Please detail any other data that has been obtained and taken into consideration (for example, Council service areas data, other Census 2021 data which is not related to protected characteristics such as no household members having English as main language, vulnerable groups, education, economy, housing, access to transport etc, Public Health and NHS data, deprived neighbourhoods, workforce profile data):

Due to the nature of private companies providing these service no publicly accessible data is available

Impact:

Summarise any positive impacts or benefits, any negative impacts (i.e. potential for discrimination, disadvantage or disproportionate treatment) and any neutral impacts and the evidence/data you have taken into account to reach this conclusion. Be aware that there may be positive, negative and neutral impacts within each characteristic. (NOTE: please refer to the EIA Guidance for Managers or Equality Strategy for the characteristics) Where an impact is unknown, state so, and identify what steps will be taken to address any gaps in data:

Agenda Item 7

Appendix a

Characteristic	Impact (what information was used to assess impact? Data/feedback etc. Describe whether this is positive, negative or neutral)	Scale of Impact (High/Med/Low)	Can it be mitigated? (what needs to be done to reduce/remove the impact? Have service users been involved in providing this insight?)
Age	Positive	Med	Ensure information is provided in appropriate formats
Disability	Positive	Med	Ensure information is provided in appropriate formats
Race	Positive	Med	Ensure information is provided in appropriate formats
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Consideration of Alternatives:

Describe what alternatives have been considered and/or what actions will be taken to remove or minimise any potential negative effect identified above (attach evidence to appropriate data, reports, etc):

No negative effects identified

Funding Considerations:

Service should be self-funded

Monitoring Arrangements:

Briefly describe the monitoring arrangements/systems that will be put in place to monitor the effects of this proposal.

Through service plans and service outcomes

Date on which you will be re-considering the project/report and submitting a further EIA if applicable.

Once the service is fully operational each request will capture equalities data that can be used to mitigate any negative impacts and improve positives outcomes

EIA's should be further reviewed for significant changes or projects within 12 months or as part of a project close down. If after completing a review material changes are identified, these should be reported to the Senior Management Team for consideration. This is to assess the true impact in the delivery.

Reporting and Publication:

As part of the democratic decision making process, Equality Impact Assessments will be published on North Devon Council's website as an appendix to committee reports.

For Equality Impact Assessments that are produced which are not part of the democratic decision making process, please forward to equality@northdevongov.uk for publication on North Devon Council's website.

Corporate and Community Services Use Only: Date of publication to NDC
Website: Click or tap to enter a date.



North Devon Council

Report Date: Monday, 7 October 2024

Topic: Future High Street Project Update

Report by: SarahJane Mackenzie-Shapland, Head of Place, Property and Regeneration

1. INTRODUCTION

- 1.1. The Future High Street Fund (FHSF) is a central government fund, administered by the Ministry of Housing Communities and Local Government (MHCLG) that seeks to support, renew and reshape high streets in a way that drives growth, improves experience and ensures future sustainability.
- 1.2. As members are aware the original project for FHSF in Barnstaple focused on 4 interventions:
 - The Pannier Market/Guildhall,
 - The acquisition and rejuvenation of 36/37 Boutport Street,
 - The access and reconfiguration of Queen Street/Bear Street car park and
 - Pedestrianisation (10am – 4pm) and public realm improvements to Butchers Row and Cross Street
- 1.3. Following a report to Members in December 2023, which highlighted budgetary constraints, it was agreed that the public realm improvements to Butchers Row/Cross Street would be removed from the Future High Street Fund programme, recognising that the pedestrianisation had already been achieved. Instead Members resolved to approve a further £500,000 for a separate project for public realm improvements to Butchers Row/Cross Street, recognising the importance of this in connecting the Future High Street Fund works with the wider town centre and waterfront. This is being progressed as piece of work under a separate capital programme budget.
- 1.4. In December 2023, the report advised Members that the Pannier Market intervention had been delivered on budget. This report will provide an update on the remaining interventions; namely the rejuvenation of 36 and 37 Boutport Street and works to Queen Street/Bear Street car park to include a new access from Alexandra Road.

2. RECOMMENDATIONS

- 2.1. This is an update report and as such Members are requested to note progress on these significant interventions.

3. REASONS FOR RECOMMENDATIONS

- 3.1. This is a significant project for the Council and regular reports are required to keep members updated on progress.



4. REPORT

4.1. This report will update Members on the progress of both the Queen Street/Bear Street project and 36/37 Boutport Street. Each project will be taken in turn:

4.2. Queen Street/Bear Street car park and Alexandra Road

The contract for this project was awarded to Macplant Construction Limited on the 29th February 2024.

4.3 Post award, the programme and detailed phasing scheme were set out by the contractor and this information was shared with local businesses and users of the car park.

4.4 The project has been split into three phases both to ensure a part of the car park remains open at all times and to accommodate the construction compound for 36/37 Boutport Street associated works.

4.5 Work to Phase 1 (part of Queen Street car park) commenced on the 7th May 2024. It is due for completion on the 11th October 2024 and has included significant drainage works, the provision of rain gardens for trees and resurfacing works (to include areas of complete reconstruction).

4.6 Despite ensuring that part of the car park remains open at all times, there has inevitably been some disruption and as such, the team have sought mitigations where possible and as follows; responded to requests for additional signage, reinstated a link across the car park from Queen Street as soon as the project would allow as requested by businesses, provided a unit in Green Lanes to enable the businesses to advertise their produce, set up a summer 'trail' to include businesses in Bear Street to drive footfall in that location, offered to introduce them to North Devon Plus who can offer business support and small grants and asked businesses for ideas as to how we can further support them with the tools available.

4.7 The original end date for phase 1 was the 27th September but a slight 2 week delay has been incurred due to unforeseen works.

4.8 The latest cost report has shown utilisation of a significant amount of the £85,000 contingency for this project given the unforeseen works in phase 1. Gates, the Quantity Surveyors, are working closely with us on this project. They issue monthly cost reports, which are followed by a meeting with the internal Project Manager (Head of Place, Property and Regeneration) and Project Sponsor (Head of Resources and Deputy Chief Executive) to enable interrogation of that cost report. The Contract Administrator (Jon Widgery at W T Hills) and external Project Manager (Myles Clough of Myles Clough Management Services) issue CAI's (Contractor Administrator Instructions) during the course of the month with any variations to the Contract where any budget implications are identified. This will continue through phases 2 and 3 to ensure scrutiny of spend and protection of the remaining contingency.

4.9 The contractors will begin planing the remainder of phase 1 this week ahead of resurfacing. There is a risk around the level of remaining reconstruction



required as a result of these works but this is being monitored by the team. Once these works are complete, phase 1 of the car park will re-open (this releases 130 car parking spaces).

4.10 On completion of phase 1, works to phase 2 will commence, which includes Bear Street car park and the new entrance to Alexandra Road. The current project programme sees these works being carried out between the 18th October 2024 and the beginning of February 2025. Phase 2 will include all planting of trees in Phase 1 and 2 and the laying of the coloured asphalt to the key footways/desire lines in Phases 1 and 2 to ensure consistency together with the erection of permanent signage.

4.11 Phase 3 (the contractors compound) will then commence when the Boutport Street works are completed. The Programme currently anticipates these works being carried out between November 2025 and January 2026. The contractors will return to site to complete these works.

4.12 36/37 Boutport Street

The contract for the refurbishment of 36 Boutport Street and regeneration of 37 Boutport Street was awarded to Pearce Construction in February 2024.

4.13 Pre-construction works commenced in February 2024 to include the erection of scaffolding around the entirety of 36 Boutport Street.

4.14 Works to date have focused on 36 Boutport Street and the contractors have made significant progress. All roofing works are now all but complete; to include the lower, middle and mansard roof.

4.15 The contract with Pearce Construction included a number of significant provisional sums and target savings. The contract had to be set up in this way because the building is Grade II listed and so we were unable to 'open up' the building and understand all required works prior to the works commencing. As works have been uncovered, there have been a number of challenges. When the slates were removed from the Mansard roof, it was clear that some of the timbers were not in good condition. We had to work very closely with the structural engineers and a specialist timber company to find the most pragmatic solution for this listed building. Furthermore, the lintels to the main façade were also found to be in poor condition. The first solution identified required the propping of the entire façade internally within 36 Boutport Street, which would have proved particularly challenging. The contractor has now found an alternative solution, which will be easier to implement and includes permanent ties to the main structure.

4.16 The project team hold monthly progress meetings, which include the contractor, to report on progress in line with the contract and to ensure information is being received and decisions are being made in a timely manner. All outstanding RFI's (Requests for Information) are reviewed and any concerns discussed.



- 4.17 As with the car park project, monthly cost reports are received from Gates and a meeting follows with the Project Manager and Project Sponsor to scrutinise them. This is critical on this project to ensure monitoring of provisional sums against actual spend and spend against the target savings list.
- 4.18 At the last cost report, 38% of the contingency was reported as remaining. Whilst this will appear low, the main unknowns were always with 36 Boutport Street and where any utilisation of contingency would have been anticipated. The majority of these are now 'known' and have been firmed up in the cost report i.e. the condition of the roofs, structure etc.
- 4.19 The contractors are reporting a delay to the Programme. A formal extension of time is awaited and the team are currently working with Pearce Construction to establish whether some of this time can be mitigated elsewhere in the Programme. The delay has been incurred due to the complexity of the building and needing to work through the solutions as a project team to ensure the best solution for the listing building are achieved, having regard to programme and budget.
- 4.20 Members of the project team recently took the Lead Member for this project and the Chair of the Planning Committee on site to see the progress being made and to see first-hand the care and attention the contractors are paying to the building and the complexities of the work.
- 4.21 A further report will be brought to members in due course to update on the project's progress.

5. RESOURCE IMPLICATIONS

- 5.1. The Future High Street Fund Programme has significant resource implications on the project team, which includes officers from the Place, Property and Regeneration service, Planning, Legal and Finance.
- 5.2. The cost of works associated with both of the interventions in this report are covered by the approved budgets within the Capital Programme.

6. EQUALITIES ASSESSMENT

- 6.1. The EIA for this project is regularly updated. This report does not directly affect it.

7. ENVIRONMENTAL ASSESSMENT

- 7.1. The consultants for this project have created a unique sustainability tracker for this work.

8. CORPORATE PRIORITIES

- 8.1. What impact, positive or negative, does the subject of this report have on:



8.1.1. The commercialisation agenda: The completed scheme will deliver cultural, commercial and residential space.

8.1.2. Improving customer focus: The works will improve the overall appearance of the town centre but we need to ensure they are accessible for all.

8.1.3. Regeneration and economic development: The works will significantly enhance the appearance of the town centre and deliver significant and important parts of the Barnstaple Vision.

9. CONSTITUTIONAL CONTEXT

9.1. The decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in Part 3 Annexe 1 of the Constitution.

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

Future High Street Programme material

12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: SarahJane Mackenzie-Shapland, Head of Place, Property and Regeneration.

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North Devon Council

Report Date: Monday, 7 October 2024

Topic: Lynmouth Sea Pool

Report by: Helen Bond, Property Manager

1. INTRODUCTION

- 1.1. North Devon Council own a freehold property, which sits in the intertidal habitat of Lynmouth coastline.
- 1.2. Officers have been approached by Members of the Town Council and the NDC Ward Member about undertaking works to the sea pool and bringing back into public use.
- 1.3. Lynmouth Sailing Club CIC (Company Number 13269969) (LSC CIC) have come forward to take the freehold from NDC.

2. RECOMMENDATIONS

- 2.1. That Members approve the transfer of the Freehold of this asset to the Lynmouth Sailing Club CIC and henceforth have no further dealings with the asset
- 2.2. The asset is handed over in its current condition with no financial or other commitment from NDC
- 2.3. A contribution towards NDC's legal fees will be requested should the transfer proceed.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To satisfy the needs of the local community in promoting and running this tidal sea pool.
- 3.2. In the current circumstances, North Devon Council could not support the risks associated in managing this facility, which needs maintenance to bring it back into a standard where it can be utilised more actively as a public swimming/non-powered watersports area.
- 3.3. North Devon Council would not wish to be responsible either directly or indirectly with the risks associated with this asset. The site is publically accessible from The Esplanade, which is a Council owned (but Lynton and Lynmouth Town Council managed) asset.
- 3.4. There is a potential reputational risk to the Council if the asset is handed over to the CIC and an incident occurs. However, as stated above, this asset is publically accessible and in passing over the freehold of the asset the Council would pass the site as it is, retain no legal obligation for the site and the CIC would have to ensure that it puts in place all relevant measures, insurance and carries out maintenance etc.
- 3.5. The asset is not easily accessible, the land around it is not registered and the ownership/responsibility for this land is unclear.

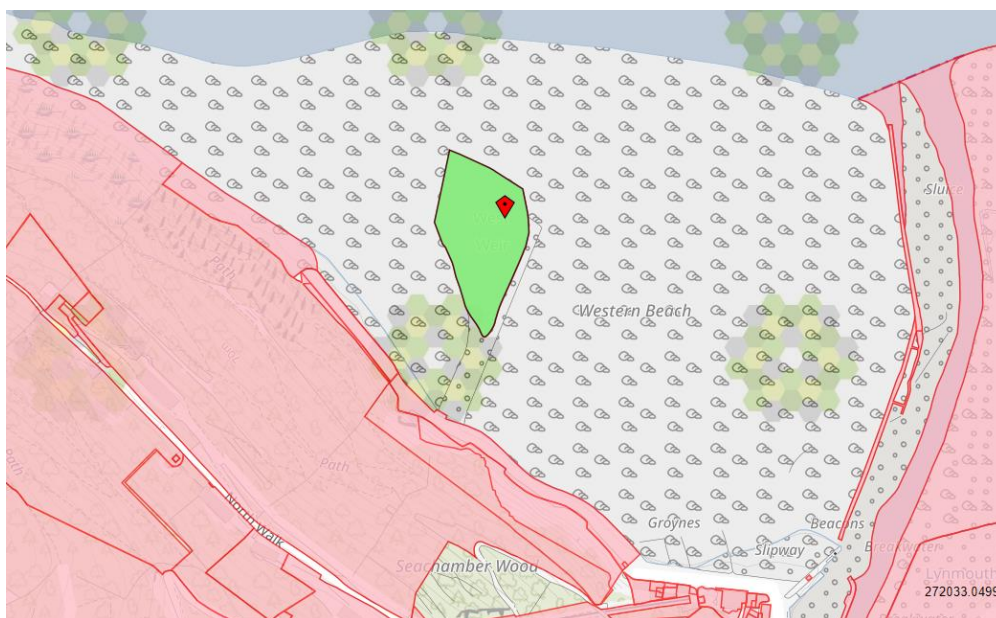


4. REPORT

- 4.1. Officers were approached in June 2022 by members of the Community and Town Council about the potential to reinstate the Victorian sea pool at Lynmouth. At that time, they indicated that some remedial works were necessary including work to the boundary, access path and access; some work would also need to be undertaken on the intertidal habitat and water quality would need to be of bathing quality.
- 4.2. The asset sits in the intertidal area of Lynmouth sea front. The Historic Environment Record for Exmoor National Park (MDE11714) indicates that it is the remain of a fish weir of probable medieval or post medieval date and later used as a bathing pool; maps from 1904 show the annotation of 'Bathing Pool'. It is clearly visible on aerial photographs from 1946 onwards, but its condition and maintenance need is likely to have resulted in this use being intermittent since 1887 when a survey identified a break to its central wall. The break to the sea wall on the above survey, gives an indication of why the pool only remains part full at low tide. Hence the proposal by the LSC CIC to undertake repairs.
- 4.3. The high tidal range in Lynmouth means access to the pool on foot is not viable outside low tide times.
- 4.4. The Community expressed their intention to undertake the needed works to progress the project, asking for North Devon Council's permission to do so.
- 4.5. At this point, to enable this use of NDC's asset, NDC indicated that it would need substantial information and stakeholder engagement with a number of parties including the Marine Management Organisation, Environment Agency, Natural England and Exmoor National Park. NDC would also require the Town Council to take the asset at its own risk, Officers could not support NDC supporting the asset due to health and safety implications
- 4.6. The Town Council did not wish to take the freehold of the asset, and instead a Community Group/CIC has come forward.
- 4.7. Officers do not want to be unsupportive of this project but cannot accept any current or ongoing liability for NDC.
- 4.8. Officers have consulted with Legal Services and are advised that should the asset be passed in its entirety to a third party, no liability would fall to NDC, the liability would sit with the new owner of the asset.
- 4.9. NDC does not own the intertidal area around the sea pool, this is unregistered. The legal ownership of this foreshore land is unclear and therefore there may be issues in terms of who can give access to the site as there is a gap between the site to be transferred and the Council owned site at The Esplanade, however this lack of clarity over legal rights of access would be for the CIC to accept on taking on the sea pool site.



- 4.10. Historically, it would appear that there may have been steps and a shingled path from the esplanade car park, this is also likely to have been a short pier for Victorian bathers. These elements no longer exist and due to the topography and change in levels, would mean that it is not possible for NDC to give access from its own assets including the Esplanade car park. Some evidence of this remains in the form of old metal supports, which could themselves present a Health and Safety issue. The access to the beach from Esplanade car park has been closed off for many years due to safety issues, and will not be allowed to be reopened as this now forms a part of the coastal defences.
- 4.11. NDC cannot give the CIC any access rights to the asset over the sea wall adjacent the main highway along the seafront, which is owned by DCC. As set out above, ownership of the area around the pool is unclear and as such NDC is unable to grant rights of access or otherwise assist the CIC. There is however public access to the intertidal area, substantially on the basis that the lack of clear ownership of the foreshore means that members of the public are not constrained from accessing it, albeit this not being freely accessible to all potential users.
- 4.12. Should members wish to support this project, we are recommending that they approve the freehold transfer of the asset to the CIC, with the CIC being asked to make a contribution towards NDC's legal costs. NDC would not seek payment for the asset.
- 4.13. A freehold transfer could not stipulate the nature/functional of the use of the asset, the management responsibilities would pass to the CIC, but would not be governed by the Council.
- 4.14. NDC are also taking part in a Coastal Study with the Environment Agency; the CIC would need to understand that any results of this may impact on any works to the foreshore.
- 4.15. Members should advise as to whether each party is to cover legal costs or whether NDC legal costs should be covered by the LSC CIC.



5. RESOURCE IMPLICATIONS

5.1. Legal and Property Team resource in the transfer of the asset

5.2. No VAT implications if the asset is passed over a nil value



6. EQUALITIES ASSESSMENT - TBC

6.1. [If your proposal has a potential positive or negative impact on people either internally or externally, please refer to the Equality Impact Assessment Guidance. You will need to complete the Equality Impact Assessment (EIA) available on Insite and upload it as an Appendix to this report. **Please include here a summary of the outcomes of the EIA.** If you consider that this proposal has no relevance to equalities and the protected characteristics, please record your reasons why you consider that it has no relevance.]

7. ENVIRONMENTAL ASSESSMENT - TBC

7.1. Please undertake an Environmental Assessment and complete the checklist (EAC) form available on Insite. If there are no environmental implications arising from your proposals please state that there are none. If after completion of the assessment there are environmental implications please provide a brief summary. If you require any further information please contact the Sustainability and Climate Change Officer. Email completed EACs to donna.sibley@torridge.gov.uk

8. CORPORATE PRIORITIES

8.1. What impact, positive or negative, does the subject of this report have on:

8.1.1. The commercialisation agenda: Passing over an asset of no value, but if ran by the Council, could have significant resource implications

8.1.2. Improving customer focus and/or – Allowing the community to take over this asset for public benefit

8.1.3. Regeneration or economic development – N/A

9. CONSTITUTIONAL CONTEXT - TBC

9.1. The decision in respect of the recommendations in this report can be made by this Committee pursuant to delegated powers provided in Part 3 Annexe 1 paragraph 1

10. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11. BACKGROUND PAPERS

The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).



12. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers:

List of Councillors and Officers

Councillor J Patrinos

Councillor M Prowse

Senior Management Team

Legal Services and Accountancy/Finance

Helen Bond – Property Manager