

NORTH DEVON COUNCIL

Minutes of a meeting of Executive held at Barum Room - Brynsworthy Environment Centre on Monday, 1st April, 2019 at 10.00 am

PRESENT: Members:

Councillor Brailey (Leader)

Councillors Barker, R Cann, Edgell, Jones, Lane, Luggar, Meadlarkin, Moores and Yabsley

Officers:

Head of Corporate and Community Services, Head of Resources, Head of Place, Acting Regeneration Manager, Ilfracombe Harbour Master, Watersports Development Officer and Senior Regeneration Officer

Also Present:

Councillors Edmunds, Moore, Greenslade, Prowse and Worden

132. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

133. LEADER'S ANNOUNCEMENTS

The Leader advised that it was the last meeting of the Executive prior to the District Council Elections on 2nd May 2019. He thanked the Executive for their work and achievements over the past four years and wished them well in the forthcoming Elections.

134. DECLARATIONS OF INTERESTS

There were no declarations of interest received.

135. SEVEN BRETHREN GYPSY AND TRAVELLER SITE

The Executive considered a report by the Head of Place (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the provision of a Gypsy and Traveller site at Seven Brethren, Barnstaple.

The Head of Place highlighted the following:

- There was a need for a Gypsy and Traveller transit site within North Devon as identified in the newly adopted Local Plan. Currently there was only a single 'toleration site', and this was located at Seven Brethren.

- The Council had been awarded £2.2 million of Land Release Fund to bring forward 245 residential units on Council owned land at Seven Brethren, Barnstaple. The Council's commitment to build a new leisure centre, freed up this land for its wider redevelopment.
- An alternative location for the "toleration" site needed to be secured to ensure that the redevelopment of Seven Brethren was not delayed.
- It was proposed that the "toleration" site was relocated to another site on Seven Brethren in the short term.
- In the medium term a new transit site would need to be identified but a recent call for sites produced nothing suitable and further options, including acquiring a site, were being explored by Officers.

In response to questions, the Head of Place advised:

- Other Local Authorities seek to make provision for Gypsy and Travellers over a number of years, however if an alternative site was not found and the toleration site had to remain where it was then the Land Release Fund could not be drawn down as the site was within the development area.
- The Council would need to commit to looking for and finding a permanent solution. An Officer group would be set up to progress this and further reports brought to the Executive to update on progress. The Joint Local Plan would need to include the allocation of a site.
- As part of the Joint Local Plan, both North Devon Council and Torridge District Council were required to identify toleration and transit sites.

In response to questions, the Acting Regeneration Manager advised:

- The area identified for the location of the temporary "toleration" site as detailed in Appendix A. The exact location within the area identified had not yet been agreed.
- The Land Release Fund expects this land to be released for housing no later than March 2020. However, it had been acknowledged by the Local Government Association, who was administering the fund that this could be extended until December 2020.
- If the "toleration" site could not be relocated in the shorter term, then the land could not be released for development. Due to the timescales, it was not possible for a permanent site to be found within that period.
- A meeting was in the process of being arranged with the Showmen's Guild regarding the location of the fair.
- Clarification of the wording of paragraph 4.5, that there were no obvious alternative sites at Seven Brethren, however there were other pieces of land owned by the Council across Seven Brethren and other land holdings with various lease arrangements.

In response to questions, the Head of Resources advised:

- An historic agreement was in place with the Showmen's Guild for the location of the fair at Seven Brethren. The space allocated was currently exceeded. The location and area required moving forwards would form part of the

discussions with the Showmen's Guild. This was a separate part of the project and a report would be brought back to Members in due course.

In response to questions, the Head of Corporate and Community advised:

- There were different categories for Gypsy and Traveller sites: permanent, toleration and transit. A toleration site was not a formal site but was somewhere where unauthorised encampments could be directed and where planning enforcement action will not be undertaken. A transit site only provided for temporary stays but would have planning permission and provide hardstanding's, electric hook up and a bathroom and individual pitches will be clearly defined.
- Corporately Members and Officers would need to work together to identify a transit site as a priority following the Elections. The Senior Management Team had already agreed that the Head of Place would lead on this project.

RESOLVED:

- (a) That subject to any necessary consultation relocate the Gypsy and Travellers 'toleration' site within the project masterplan for Seven Brethren, in the short term (to December 2020), and that design solutions are developed to mitigate the impact of the relocation of the toleration site within the site;
- (b) That within an agreed timetable, proceed to purchase or otherwise secure an alternative transit site for the long term provision of Gypsy and Travellers to meet the Council's obligations and obtain the relevant planning permission to allow use of the site. The aim will be to have an alternative site available for use by December 2020;
- (c) That a further report be brought to the Executive with progression on both options and details of how the Gypsy and Travellers site will be managed and the reporting reflect the milestones set out in paragraph 4.9 of the report;
- (d) That the Head of Place take the lead on this project.

REASONS FOR DECISIONS:

- (a) In order to develop Seven Brethren within an acceptable timescale to draw down the Land Release Fund of £2.2m the current toleration site needs to be released in June 2020. This is unlikely to be sufficient time to identify an alternative site and obtain the required consents to deliver it in this timeframe.
- (b) Planning permission will not be obtained for the redevelopment of Seven Brethren (for the land as defined by the Land Release Fund) if an alternative site for the travellers cannot be provided.

- (c) There are practical implications if NDC does not provide an alternative suitable site, in terms of the Equality Act 2010.
- (d) A senior officer of the Council to take the lead on the project.

136. EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS

RESOLVED:

- (a) That under the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended), as made under the Local Government Act 2000, the public and press be excluded from the meeting as it involved the likely disclosure of exempt information as defined by Paragraph 3 Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).
- (b) That all documents and reports relating to the item be confirmed as "Not for Publication".

137. WATERSPORTS CENTRE - ILFRACOMBE

The Executive considered a report by the Head of Place (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the Ilfracombe Watersports Centre project.

The Watersports Centre Officer gave a presentation and highlighted the following:

- Background, context and use and the Watersports Centre.
- Need identified and value of the Ilfracombe Watersports Centre to the economy of North Devon and Ilfracombe.
- Community benefit which had been identified.
- Current and future management of the upper and lower floors. The need for an interim North Devon Council manager to oversee the implementation of the project.
- Additional income streams that the Council could receive from commercial use of facilities, Marine Academy, extra parking revenue and café profit share.
- Non North Devon Council income opportunities identified to demonstrate the viability of associate operations.
- Position summary. The tender process had now ended. The additional funding from the Coastal Communities Fund had been unsuccessful. Therefore, there was a larger funding gap than forecast. Officers would explore options to reduce the funding gap.
- Therefore, the recommendations had now been amended to: "note the funding situations; and note that a further report will be brought forward highlighting steps to reduce the funding gap."

- Officers would continue to explore further options for cost reduction, firm up potential income streams and present the final funding gap and timeline at the next Executive meeting.

In response to questions, the Head of Corporate and Community confirmed that further work needed to be undertaken on the tenders received prior to a recommendation being made to the Executive and to Council. As a contractor had not been appointed, the tender process was still live and the information remained confidential. The Coastal Communities Fund had confirmed that a further delay until December 2020 was acceptable. The anticipated start date would not be known until the contractor had been appointed.

In response to questions, the Head of Resources clarified the Council's financial position. The running costs i.e. sinking fund, insurance and cleaning and rents had been included within the financial projections. Any loan would be through the Public Works Loan Board spread over the life of the asset. The Watersports Officer post was revenue costs.

RESOLVED:

- (a) That the progress of the Watersports Centre project and the current identified risks to delivery of the programme be noted;
- (b) That the funding situation be noted;
- (c) That it be noted that a further report would be brought forward highlighting steps to reduce the funding gap.

REASONS FOR DECISIONS

- (a) The application for additional funding from the Coastal Communities Fund had been unsuccessful.
- (b) Further work was required to be undertaken on reducing the funding gap, prior to consideration by the Executive and Council.

Chairman

The meeting ended at Time Not Specified

NOTE: The above decisions shall not take effect until the five clear working days have elapsed from the date of publication: Wednesday, 3 April 2019