



Public Document Pack

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

M. Mansell, BSc (Hons),
F.C.P.F.A.
Chief Executive.

STRATEGY AND RESOURCES COMMITTEE

A meeting of the Strategy and Resources Committee will be held in the Barum Room - Brynsworthy Environment Centre on **MONDAY, 1ST JULY, 2019 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

Members of the Strategy and Resources Councillor Worden (Chairman)
Committee

Councillors Lane, Leaver, Lofthouse, Patrinos, Pearson, Prowse, E. Spear, Wilkinson and Yabsley

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting held on 3rd June 2019 (attached). (Pages 5 - 12)
3. Items brought forward which in the opinion of the Chairman 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, and Councillors must leave the room if necessary).
5. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

6. **Recycle More: Update**
Presentation by Head of Operational Services.

7. **Batsworthy Cross Windfarm** (Pages 13 - 16)
Report by Head of Environmental Health and Housing (attached).
8. **Westacott Housing Infrastructure Fund** (Pages 17 - 20)
Joint report by Chief Executive/Head of Place (attached).
9. **Ilfracombe Housing Infrastructure Fund** (Pages 21 - 24)
Joint report by Chief Executive/Head of Place (attached).
10. **Annual Treasury Management report 2018/19** (Pages 25 - 32)
Report by Chief Financial Officer (attached).
11. **Approval and Release of Section 106 Open Space Funds - Bickington, Ilfracombe and North Molton.** (Pages 33 - 36)
Report by Project, Procurement and Open Space Officer (attached).
12. **Adoption of Ropery Road Car Park to the Off Street Parking Order** (Pages 37 - 40)
Report by Parking Manager (attached).
13. **Extension to Devon WAN (Wide Area Network) Partnership Contract** (Pages 41 - 42)
Report by Business Information Systems Manager (attached).
14. **Braunton Burrows Special Area of Conservation Visitor Impacts and Mitigation.** (Pages 43 - 50)
Report by Head of Place (attached).
15. **Equality Strategy 2019-2023** (Pages 51 - 66)
Report by Senior Corporate and Community Services Officer (attached).

PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

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

25.06.19



North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman 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 filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.

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.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy Environment Centre on Monday, 3rd June, 2019 at 10.00 am

PRESENT: Members:

Councillor Worden (Chairman)

Councillors Lane, Leaver, Lofthouse, Patrinos, Pearson, Prowse, E. Spear, Wilkinson and Yabsley

Officers:

Head of Corporate and Community Services, Head of Resources, Head of Operational Services, Head of Place, Business Information Systems Manager and Customer and Corporate Services Manager

Also Present:

Councillors Biederman, D. Spear and Tucker

1. APOLOGIES FOR ABSENCE

There were no apologies received.

2. DECLARATIONS OF INTERESTS.

There were no declarations of interest received.

3. TO AGREE THE AGENDA BETWEEN PART 'A' AND PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION).

The Chair advised that as it was the first meeting of the Committee, he requested that the Committee consider item 8 prior to item 5 on the agenda to enable the Head of Resources to outline the Council's financial position to the Committee.

RESOLVED that item 8 be considered prior to item 5 on the agenda.

4. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 4 OF 2018/19

The Committee considered a report by the Head of Resources (circulated previously) regarding the Performance and Financial Management report for Quarter 4 of 2018/19.

The Head of Resources highlighted the following:

- The quarterly Performance and Financial management report was also presented to full Council for consideration. The report provided an update on

the financial performance of the Council against the approved revenue budget for the financial year. It also provided the opportunity for the Committee to challenge if key performance indicators were not being delivered within the agreed targets.

- This quarterly report was for the period up to 31st March 2019 and therefore in the context of the Council's current corporate priorities.
- The revenue budget for 2018/19 was approved at Council on 21 February 2018 at £12.220m and as at 31 December 2018, the Council reported a net deficit of £0.019m against the budget.
- The last quarter of the financial year had seen some favourable variances since the last reported position as a result of additional income through the one off pilot year for 100% Business Rate Retention scheme and additional savings achieved through the staffing budgets.
- As at 31 March 2019, the final outturn position was a budget surplus of £0.754m, which was an overall movement of £0.773m from the last forecast at quarter 3. The main reasons for the movement were detailed in Appendix A. £0.600m related to Business Rate income and this additional income would be placed into reserves as it was a one-off income. Additional £0.060m vacancy savings and £0.100m from service area underspends had been achieved.
- The original budget for 2018/19 included a forecast to achieve £0.200m worth of salary vacancy savings. The previous performance report at quarter 3 forecast the saving would be exceeded by £0.025m this year and the actual resulted in further employee savings of £0.083m over and above the original target.
- The implementation of the "Recycle more" project had been a challenge and resulted in some further additional costs this year together with a further decline in the sale price of recyclable materials, which had meant the original savings target for the year had not been achieved.
- There had also been a significant reduction in the level of the planning fee income of £0.138m due to a reduction in the larger applications received, which was in line with other Local Authorities experiencing the same pressure.
- The revenue budget surplus of £0.754m, once the contribution to the Collection Fund reserve of £0.236m had been made left a residual surplus of £0.518m. It was proposed that the surplus would be set aside and placed in the earmarked reserves as detailed in paragraph 4.1.12 of the report.
- Movement in Reserves and Balances detailed the movements to and from the earmarked reserves in 2018/19 as detailed in Appendix B of the report.
- The Strategic Contingency Reserve movements and commitments as detailed in Appendix C of the report.
- The 2018/19 Capital Programme as detailed in Appendix D of the report.
- The 2019/20 to 2021/22 Capital Programme as detailed in Appendix E of the report.
- Further investment of £0.122m had been identified for the period 2019/20 following three business cases submitted to the Project Appraisal Group for:
 - Property maintenance at the public house on the corner of Castle Street and the property at 16 Castle Street.
 - Retaining wall at Watersmeet car park at Lynton.
 - Retaining wall at Cross Street car park at Lynton.

- Overall variations of £14.710m were proposed to the 2019/20 to 2021/22 Capital Programme as detailed in paragraph 4.4.9 of the report. 50% of the overall Capital Programme was funded externally.
- Treasury Management, Debt Management and General Debtors as detailed in paragraphs 4.5, 4.6 and 4.7 of the report.
- Non-financial information was contained within paragraphs 5 to 9 in the report. Appendix F detailed the key performance indicators and Service Plan Action updates.

The Committee received a presentation by the Head of Resources regarding the Financial Context of the Council for 2019/20 and highlighted the following:

- Local Government Finance funding reforms.
- Government settlement change in funding by class of Authority and cumulative change between 2015/16 and 2019/20.
- Revenue Budget 2019/20 and how it was funded.
- Medium Term Financial Strategy 2019-23 and the financial assumptions that had been made. The budget gaps from 2020/21 to 2022/23. The outcomes of the review of the CCTV service would be presented to the Committee at its next meeting.
- Capital Programme as detailed in Appendix E of the report and larger projects within the programme. A report regarding the Watersports Centre would be presented to a future meeting of the Committee.
- Capital funding borrowing costs and the impact of the business cases approved on 25 February 2019. Borrowing costs were for a fixed rate period and it had been assumed that interest rates would increase.
- 10 Year Capital Strategy for 2020-2029.
- Understanding of the Council's financial position to enable the Committee to make informed decisions on the Council services and key decisions required to be taken by the Committee for items already included within the Medium Term Financial Strategy. Additional work needed to be carried out to achieve further savings or additional income to bridge the future year budget gaps and ensure financial security for the Council.

In response to questions, the Committee were advised of the following:

- The additional costs incurred for the Waste and Recycling service were detailed in Appendix A of the report.
- A level of growth for Business Rates had been forecast and included within the budget, however the additional income received from the Business Rates Retention 100% pilot year was a one-off payment and therefore had been placed into earmarked reserves.
- Additional costs incurred by the Waste and Recycling service were due to a number of areas outside of the Council's control such as the reduction in income from the sale of recyclable materials, increase in fuel price, job evaluation process that had been carried out for drivers and loaders which had resulted in an increase in pay. Although the job evaluation process had placed pressure on the budget, it had assisted with the retention of staff and the reduction in use of agency staff.

- There were approximately 40,000 potential garden waste properties in the Council area. 21,000 had not taken up the garden waste service. However, North Devon Council had a high take up rate of 45% in comparison with other Local Authorities.
- When staff vacancies occurred, the Head of Service presented a business case to the Senior Management Team for consideration. The vacancy savings occurred during the period of time between the post becoming vacant to it being filled. If a position needed to be filled urgently, then approval could be sought from Senior Management Team prior to the next meeting. There were some positions within the Council which were proving difficult to recruit into. The job evaluation process ensured that the remuneration for positions were consistent.
- The current tenant for the public house on Castle Street was up to date with rent. Officers were in discussions with the tenant regarding the future tenancy agreement.
- In relation to the business case for property maintenance at the public house on the corner of Castle Street and the property at 16 Castle Street, £0.025m was for the repair of the roof of 16 Castle Street and £0.065m was for maintenance to be undertaken at the public house.
- The Council was still in the process of completing the acquisition of the sub lease of plot 1 at Seven Brethren. Within the Capital Programme for 2019/20, £0.400m had been allocated for the acquisition of the sub lease and £0.100m for commissioning works if required for the sub division into units if a tenant was not secured for the whole plot.
- The Capital Programme included investments for ICT to ensure that the Council was protected against cyber attacks, procurement of equipment and software that was fit for purpose and made staff more efficient and improved the service provided to customers.
- An update report would be brought by the Head of Environmental Health and Housing to a future meeting of the Committee regarding the provision of temporary accommodation project.
- Funding within the Capital Programme for “Coastal Protection and Shoreline Management Plan” had been rolled over to 2019/20. This funding had been rolled over for a number of years. An action plan had been produced within the past 12 months. The funding had been allocated for any further works required to be commissioned. If required, a business case would then be prepared and considered. A copy of the action plan would be sent to Councillor D. Spear.
- Staff from the Waste and Recycling service were required to be trained prior to the new Waste Transfer station becoming operational. The food waste was transported to an anaerobic digester plant at Holsworthy and the garden waste transported to an in-vessel composter at Deepmoor. Information on the end destinations for recyclable materials collected was published on the Council’s website.
- All service areas had been requested to review future spend and investment required over the next 10 years. A 10 year plan for asset maintenance was now in place.
- Consideration would be given to how the Council could publicise what happens to recyclable materials collected.

RESOLVED:

- (a) That the actions being taken to ensure that performance was at the desired level be noted;
- (b) That the contributions to/from earmarked reserves be approved as detailed in paragraph 4.2 of the report;
- (c) That the movements on the Strategic Contingency Reserve as detailed in paragraph 4.3 of the report be noted;
- (d) That funds be released for the capital schemes listed as detailed in paragraph 4.4.14 of the report;
- (e) That the sections dealing with Treasury Management (paragraph 4.5) and Debt Management (paragraphs 4.6 and 4.7) be noted

RECOMMENDED:

- (f) That the variations to the Capital Programme 2019/20 to 2021/22 in paragraph 4.4.9 of the report be approved.

5. CORPORATE PLAN

The Head of Corporate and Community Services tabled draft corporate priorities for consideration by the Committee. He advised the Committee that the Council was required to produce a Corporate Plan which set out the vision and corporate priorities for the forthcoming year and longer term. It was important that the plan was in place as a priority. He outlined the draft corporate priorities and the plans which would underpin each priority as detailed on the tabled paper. A delivery plan would be produced containing specific actions for each priority, which would be continuously reviewed. A report regarding the Council's response to the Climate Change Emergency declaration would be considered at the next meeting of the Committee. It was recommended that a cross party working group be appointed to formulate the Corporate Plan and that consultation with the public and all Councillors would be undertaken as part of the process. It was proposed that the timetable for the adoption of the Corporate Plan would be as follows:

18th July 2019 – Policy Development Committee
5th August 2019 – Strategy and Resources Committee
25th September 2019 – Council to adopt the Corporate Plan

The Committee considered that the priority “developing visions for the main towns of North Devon” under the heading of “North Devon Future” should also include reference to the “communities of North Devon”.

RESOLVED that a cross party working group be appointed to formulate the Corporate Plan and that membership include the Group Leaders and up to two additional Councillors from each Group.

6. WASTE AND RECYCLING SERVICE UPDATE

The Committee received a presentation by the Head of Operational Services regarding the Waste and Recycling Services. He highlighted the following:

- Waste and Recycling team formed part of the wider Operational Services Team.
- 141 staff within the Waste and Recycling team worked within recycling, refuse collection, garden waste collection, commercial waste, commercial waste recycling and street cleansing and public toilets.
- Current service projects which included: unlimited recycling and 3 weekly residual collections trial, heavy weight recycling sack trial and the replacement of the process hall equipment.
- It was anticipated that an options report would be presented to the Committee for consideration at its next meeting regarding the roll out of the 3 weekly residual collections trial. Arrangements would be put in place for families that produce more waste due to the use of fully absorbent hygiene products.

The Head of Corporate and Community Services advised that an update would be received shortly regarding the future provision of the dog bin service.

The Head of Resources advised that public conveniences would be reviewed as part of the wider corporate review of all Council assets. The Council was currently in discussion with Berrynabor Parish Council regarding the future management of public conveniences in Berrynabor.

The Head of Operational Services advised that new netting had been purchased for all open vehicles to prevent recyclable materials coming off of vehicles.

7. JOINT LOCAL PLAN WORKING GROUP: APPOINTMENT OF 4 MEMBERS.

The Committee considered the appointment of four Members to the Joint Local Plan Working Group.

The Committee noted that the terms of reference of the Group (circulated previously) stated that the membership for North Devon Council will include “Lead Members for Planning, Regeneration and the Environment” and that a meeting of the Group had been scheduled to take place in July 2019. As no Lead Members had been appointed currently, it was considered that any appointments made should be on a temporary basis.

RESOLVED that Councillors Leaver, Prowse, D. Spear and Yabsley be appointed to the Joint Local Plan Working Group on a temporary basis and that the appointments be re-considered if appropriate after the appointment of Lead Members.

Chairman

The meeting ended at 12.35 pm

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

This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES COMMITTEE

Date: 1ST JULY, 2019

TOPIC: BATSWORTHY CROSS WINDFARM

REPORT BY: HEAD OF ENVIRONMENTAL HEALTH & HOUSING

1. INTRODUCTION

- 1.1 North Devon Council's Overview & Scrutiny held a special meeting on the 7th March, 2019 to examine, in detail, the Council's regulation of the planning consent relating to Batsworthy Cross Windfarm. The Committee raised concerns regarding the time it has taken officers to determine whether or not the site is operating within the conditions relating to noise.
- 1.2 The Committee also requested that this subject be added as a standing item to all future agendas of the Executive (*now the Strategy and Resources Committee*).
- 1.3 This paper seeks to both provide the Strategy and Resources Committee with an update on developments, and also provide officers with guidance on the Committee's expectations regarding future reporting.

2. RECOMMENDATIONS

- 2.1 It is RECOMMENDED that the Strategy and Resources Committee:
 - 2.1.1 Notes the current position.
 - 2.1.2 Requests officers to provide the Committee with the conclusions of the operator's report once they have been verified by the Council's acoustic advisers.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To undertake the follow-up action required by Minute 80 Overview & Scrutiny Committee: 7th March, 2019.

4. REPORT

- 4.1 The operator of Batsworthy Cross Windfarm has been undertaking a programme of noise monitoring since electricity was first exported from the site in April 2016.
- 4.2 This exercise of evidencing to the Council that the site is compliant is, however, involved, and it is also dependant on a number of variables which are outside of the control of the operator, for example, the weather and the level of support being provided from local residents.
- 4.3 While expressing concern regarding the time taken, the Overview & Scrutiny Committee's review did not identify any areas of inefficiency in the Council's regulation of the planning consent.
- 4.4 Previous monitoring undertaken by the Operator confirmed non-compliance at 1 of the 6 monitoring locations – resulting in them implementing a mitigation strategy in an attempt to reduce the noise levels in this location.

The success of this mitigation strategy has recently been assessed by The Council, by undertaking its' own noise monitoring exercise.

The results confirm a continuing exceedance of the noise limits in this location.

- 4.5 The Operator recently advised the Council that in their view, they have now collected sufficient noise data to support a full analysis of the situation and have submitted their detailed report confirming their view on the position of compliance at remaining locations.

This report is now in the process of being independently evaluated by Officers' and the Council's own acoustic adviser.

- 4.6 Officers' intend to provide this Committee with a further report detailing proposed next actions, when this process of evaluation is complete.

5. RESOURCE IMPLICATIONS

- 5.1 A very significant amount of work and hours has already been invested in the regulation of this consent across many service areas of the Council. Since March 2019, the Council has also spent £23,227 on external acoustic advice.

6. CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3	Delegated
Annexe 1	

7. STATEMENT OF CONFIDENTIALITY

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

8. BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

Agenda for the Special Overview & Scrutiny Committee, Thursday, 7th March, 2019.

The background papers are available for inspection and kept by the author of the report.

9. STATEMENT OF INTERNAL ADVICE

9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Author:	J W Mann; Head of Environmental Health & Housing
Date:	29 th May, 2019
Reference:	Strategy & Resources Comm. 1 st July 2019 Batsworthy Cross Windfarm

This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY AND RESOURCES

Date: 1ST July 2019

TOPIC: WESTACOTT HOUSING INFRASTRUCTURE FUND

REPORT BY: CHIEF EXECUTIVE/HEAD OF PLACE

1 INTRODUCTION

- 1.1 The Housing Infrastructure Fund (HIF) is a government fund awarded through Homes England which is intended to allow local authorities to front load infrastructure on housing sites where the provision of infrastructure by the developer would mean that the housing scheme was unviable.
- 1.2 The intention is that once the dwellings start being constructed, the developer will repay the funds under an agreed repayment mechanism which are then re-circulated by the local authority to bring forward further housing development.
- 1.3 The Council has been awarded funding in respect of two sites, Westacott and Ilfracombe southern extension. This report considers the Westacott site in Barnstaple.
- 1.4 The amount awarded in respect of Westacott is £2,600,000 which is to be used to provide a roundabout off the A361 to access the development.
- 1.5 This scheme is important to the Council as it needs to show that it can deliver housing allocated via the Local Plan. This site makes a significant contribution to housing land supply.
- 1.6 Initially, the fund was thought to be a simple grant to the Council but it has transpired that the agreement that the Council is required to enter into with Homes England, who are administering the scheme, contains particular provisions the effect of which need to be brought to the attention of Committee.

2 RECOMMENDATIONS

- 2.1 That Members note the content of this report.
- 2.2 That Members authorise the Chief Executive to enter into relevant agreements with Homes England in order to secure the funding and to enter into legal

charges secured on land owned by the developers of the schemes in order to secure repayment of the funds, the terms to be negotiated and approved by the Chief Executive and Head of Resources.

3 REASONS FOR RECOMMENDATIONS

3.1 In order to progress this HIF application, and deliver new housing.

4 REPORT

4.1 On the 23rd April 2019 we received the offer letter from Homes England confirming that this scheme had received the internal approvals to proceed with the formal award of grant subject to a number of conditions and the grant determination agreement. The grant award is to fund site access to the A361 for the new residential development.

4.2 The grant is for £2,600,000 to unlock the delivery of 820 homes.

4.3 The funding has to be spent by March 2022.

4.4 The grant is provided on the basis that it is recovered as the scheme progresses and recycled to deliver additional homes.

4.5 The approval is subject to the following conditions, which have to be agreed before any contract can be entered in to between the Council and Homes England:

Number	Condition	Date
1.	NDDC to obtain external independent state aid advice, to be shared with Homes England.	June 2019
2.	Confirmation of which infrastructure option will be delivered, by whom, and therefore the amount of HIF funding requested.	June 2019
3.	Formulation of a project delivery team and arrangements to ensure that delivery of infrastructure can be achieved by March 2022	June 2019
4.	Infrastructure and housing delivery strategy to be provided and approved by Homes England.	June 2019
5.	Confirmation of total funding package required for infrastructure works and wider project and how any shortfall will be covered.	June 2019
6.	HIF funded infrastructure spend profile to be provided taking into account the spend deadline has been extended to March 2022.	June 2019
7.	Updated appraisal provided to satisfaction of Homes England reflecting detailed cost plan and cashflow for HIF funded infrastructure works. This will need to have the final funding amount requested.	June 2019

8.	Recovery mechanism between NDDC and Barwood Lands to be agreed.	June 2019
9.	Detailed project programme to be provided including design, procurement and delivery of proposed infrastructure works.	June 2019
10.	Local Authority to underwrite to cover any shortfall in funding to ensure strategic infrastructure is delivered.	June 2019

Officers have been working through these conditions with Barwood Land and Devon County Council (DCC). Many of the above conditions require DCC input as it is very likely that they will deliver the roundabout as part of the wider Link Road scheme.

Further conditions then need to be met prior to any draw down of funds. Officers are currently working with all parties to amend the timetable to ensure the relevant dates can be met:

Number	Condition	Date
1.	Planning permission for infrastructure and housing works achieved.	July 2019
2.	Design work and cost plan finalised for HIF funded infrastructure.	December 2019
3.	Contractor procured for the HIF funded infrastructure works.	December 2019
4.	The land is offered with vacant possession and no third-party rights exist on the land, or that they have been settled prior to drawdown.	December 2019

4.6 Some of the requirements both in the above conditions and in the draft grant agreement received contain provisions which could be said to present a risk to the Council. Principle amongst these is that the Council should have legally enforceable methods of recovering the funds from the developer. The Council will also have various requirements to monitor the delivery of housing and to report this to Homes England. The Council need to be comfortable that any timetable presented by the developer is deliverable.

4.7 There is a clause that states that if the Council should breach any of the provisions, it must repay the amount granted. Because of the fact that the Council will be funding the provision of the infrastructure, there is a risk that if the Council cannot recover the monies from the developer, it will still have to repay that amount to Homes England. Given the size of the amounts involved, this risk needs to be highlighted.

4.8 The Council has obtained Counsel's opinion which states that the only reasonably certain way in which the Council can recover the amounts is

through a charge placed on land within the ownership of the developer. A market interest rate would then be charged.

4.9 The Council is currently in discussions with the developers over the terms of the necessary charges and the level and nature of security required. Any progress prior to committee will be reported verbally.

4.10 External legal support would be required to ensure that the Council complies with the terms of the agreements.

5 RESOURCE IMPLICATIONS

In order to progress the HIF applications in the manner laid out above, external advice will be required. The cost of that advice is not yet known but will be reported to Committee in a future update.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3	Delegated

7 STATEMENT OF CONFIDENTIALITY

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

8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

- Draft Agreement
- Offer Letter

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

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

Author: K Miles/SJ Mackenzie-Shapland
2019
Reference:

Date: 10th June



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY AND RESOURCES

DATE: 1ST JULY 2019

TOPIC: ILFRACOMBE HOUSING INFRASTRUCTURE FUND

REPORT BY: CHIEF EXECUTIVE/HEAD OF PLACE

1 INTRODUCTION

- 1.1 The Housing Infrastructure Fund (HIF) is a government fund awarded through Homes England which is intended to allow local authorities to front load infrastructure on housing sites where the provision of infrastructure by the developer would mean that the housing scheme was unviable.
- 1.2 The intention is that once the dwellings start being constructed, the developer will repay the funds under an agreed repayment mechanism which are then re-circulated by the local authority to bring forward further housing development
- 1.3 The Council has been awarded funding in respect of two sites, Westacott and Ilfracombe southern extension. This report considers the Ilfracombe Southern extension site.
- 1.4 The amount awarded in respect of Ilfracombe is £6,500,000 which is to be used to provide roads, drainage and community facilities including a serviced school site. This infrastructure package replaces the original request for the £6,500,000 to be used to forward fund a school at this site.
- 1.5 This scheme is important to the Council as it needs to show that it can deliver housing allocated via the Local Plan. This site makes a significant contribution to housing land supply.
- 1.6 Initially, the fund was thought to be a simple grant to the Council but it has transpired that the agreement that the Council is required to enter into with Homes England, who are administering the scheme, contains particular provisions the effect of which need to be brought to the attention of Committee.

2 RECOMMENDATIONS

- 2.1 That Members note the content of this report.
- 2.2 That Members authorise the Chief Executive to enter into relevant agreements with Homes England in order to secure the funding and to enter into legal

charges secured on land owned by the developers of the schemes in order to secure repayment of the funds, the terms to be negotiated and approved by the Chief Executive and Head of Resources.

3 REASONS FOR RECOMMENDATIONS

3.1 In order to progress this HIF application and deliver much needed housing in Ilfracombe.

4 REPORT

4.1 On the 23rd May 2019 we received the offer letter from Homes England confirming that this scheme had received the internal approvals to proceed with the formal award of grant subject to a number of conditions and the grant determination agreement. The grant award is to fund roads, drainage, a community building, MUGA and a serviced school site to accelerate the delivery of new homes on a greenfield site at the Southern Extension in Ilfracombe, Devon.

4.2 This approved infrastructure package replaces the original request for funds to bring forward a school alongside the first phase of housing. Despite working closely with DCC it was not possible to bring forward the school within the timescale available. Homes England have assessed the revised infrastructure ask and approved it subject to the following conditions. The first set of conditions have to be agreed before any contract can be entered into with Homes England and the second set have to be complied with before any money can be drawn down for spend:

Number	Condition	Date
1.	NDDC to provide written evidence to Homes England that independent legal advice has been sought and that the transaction complies with State Aid requirements.	June 2019
2.	NDDC to agree in principle with developers/promoters the mechanism for recovery of the HIF funding.	June 2019
3.	NDDC to provide a programme for the design, procurement and delivery of infrastructure.	June 2019
4.	NDDC to confirm extent of infrastructure to be funded by HIF and its likely cost.	June 2019
Number	Condition	Date
1.	Completion of design and specification of HIF funded infrastructure.	July 2019

2.	NDDC to confirm programme for delivery of school.	July 2019
3.	NDDC to put in place mechanism for recovery of HIF funding.	July 2019
4.	All consents including planning in place for HIF funded infrastructure.	October 2019
5.	Procurement of contractor for delivery of HIF Funded infrastructure.	October 2019

4.3 Officers are currently working through these conditions, with the developer, and obtaining independent advice where required before supplying the information to Homes England. Some of the requirements contain provisions which could be said to present a risk to the Council. Principle amongst these is that the Council should have legally enforceable methods of recovering the funds from the developer. The Council will also have various requirements to monitor the delivery of housing and to report this to Homes England. The Council need to be comfortable that any timetable presented by the developer is deliverable.

4.4 In addition to the offer letter and associated conditions, a draft contract has been received which Homes England require the Council to enter into.

4.5 There is a clause that states that if the Council should breach any of the provisions, it must repay the amount granted. Because of the fact that the Council will be funding the provision of the infrastructure, there is a risk that if the Council cannot recover the monies from the developer, it will still have to repay that amount to Homes England. Given the size of the amounts involved, this risk needs to be highlighted.

4.6 The Council has obtained Counsel's opinion which states that the only reasonably certain way in which the Council can recover the amounts is through a charge placed on land within the ownership of the developer. A market interest rate would then be charged.

4.7 The Council is currently in discussions with the developers over the terms of the necessary charges and the level and nature of security required. Any progress prior to committee will be reported verbally.

4.8 External legal support would be required to ensure that the Council complies with the terms of the agreements.

5 RESOURCE IMPLICATIONS

5.1 In order to progress the HIF applications in the manner laid out above, external advice will be required. The cost of that advice is not yet known but will be reported to Committee in a future update.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3	Delegated

7 STATEMENT OF CONFIDENTIALITY

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

8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

- Draft Agreement
- Offer Letter

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

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

Author: K Miles/SJ Mackenzie-Shapland
2019
Reference:

Date: 10th June



Open

NORTH DEVON COUNCIL

REPORT TO: STRATEGY AND RESOURCES
Date: 1ST JULY 2019
TOPIC: ANNUAL TREASURY MANAGEMENT REPORT
2018/19
REPORT BY: CHIEF FINANCIAL OFFICER

1. INTRODUCTION

- 1.1 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

2. RECOMMENDATIONS

2.1 The Committee is asked to recommend to full Council that:

- The annual treasury management report for 2018/19 be noted;
- The actual 2018/19 prudential and treasury indicators be approved.
- The Section 151 Officer be delegated authority to update the Treasury Management Policy and Practices to reflect the recent changes to committee structure and overdraft arrangements

3. REASONS FOR RECOMMENDATIONS

- 3.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2018/19. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 3.2 During 2018/19 the minimum reporting requirements were that the full Council should receive the following reports:
- an annual treasury strategy in advance of the year (Council 21/02/2018)
 - a mid year treasury update report (Council 16/01/2019)
 - an annual review following the end of the year describing the activity compared to the strategy (this report)

This Council confirms that it has complied with the requirements under the Code to give prior scrutiny to all the above treasury management reports by the Overview and Scrutiny Committee and now the Policy Development Committee before they were reported to the full Council.

4. REPORT

4.1 The Council's Capital Expenditure and Financing

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£000	2017/18 Actual	2018/19 Estimate	2018/19 Actual
Capital expenditure	2,454	5,242	4,298
Financed in year	3,410	5,645	4,092
Unfinanced capital expenditure	(956)	(403)	206

4.2 The Council's Overall Borrowing Need

The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR).

Gross borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2017/18) plus the estimates of any additional capital financing requirement for the current (2018/19) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2018/19. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

£000	31 March 2018 Actual	31 March 2019 Estimate	31 March 2019 Actual
Total CFR	5,009	4,847	4,711
Gross borrowing position	2,000	1,250	1,250
Over / (under) funding of CFR	(3,009)	(3,597)	(3,461)

- *Estimates from the Mid-Year Treasury Management Report*

The authorised limit - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2018/19 the Council has maintained gross borrowing within its authorised limit.

The operational boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

Actual financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.

	2018/19
Authorised limit	£10.5m
Maximum gross borrowing position during the year	£2m
Operational boundary	£5.25m
Average gross borrowing position	£1.33m
Financing costs as a proportion of net revenue stream	2.87%

4.3 Treasury Position as at 31st March 2019

At the beginning and the end of 2018/19 the Council’s treasury position was as follows:

DEBT PORTFOLIO	31/03/18 Principal £000	Rate/ Return	31/03/19 Principal £000	Rate/ Return
Total debt	£2,000	2.02%	£1,250	2.03%
CFR	£5,009		£4,711	
Over / (under) borrowing	(£3,009)		(£3,461)	
Total investments	£10,735	0.34%	£9,849	0.57%
Net debt/(investments)	(£8,735)		(£8,599)	

The maturity structure of the debt portfolio was as follows:

	31 March 2018 actual	2018/19 original limits	31 March 2019 actual
Under 12 months	£0.75m (37.5%)	50%	£0m
12 months and within 24 months	£0m	60%	£0.75m (60%)
24 months and within 5 years	£0.75m (37.5%)	100%	£0m
5 years and within 10 years	£0.5m (25%)	100%	£0.50m (40%)
10 years and above	£0m	50%	£0m

INVESTMENT PORTFOLIO	Actual 31.3.18 £000	Actual 31.3.19 £000
Treasury investments		
Banks	9,560	8,560
TOTAL TREASURY INVESTMENTS	9,560	8,560

All investments were for maturities less than one year

During 2018/19, the Council made no material non-treasury investments in property with a view of generating an income stream.

4.4 The Strategy for 2018/19

Investment strategy and control of interest rate risk - Investment returns remained low during 2018/19. The expectation for interest rates within the treasury management strategy for 2018/19 was that Bank Rate would rise from 0.50% to 0.75%. At the start of 2018-19, and after UK GDP growth had proved disappointingly weak in the first few months of 2018, the expectation for the timing of this increase was pushed back from May to August 2018. Investment interest rates were therefore on a gently rising trend in the first half of the year after April, in anticipation that the MPC would raise Bank Rate in August. This duly happened at the MPC meeting on 2 August 2018. During this period, investments were, therefore, kept shorter term in anticipation that rates would be higher later in the year.

It was not expected that the MPC would raise Bank Rate again during 2018-19 after August in view of the fact that the UK was entering into a time of major uncertainty with Brexit due in March 2019. Value was therefore sought by placing longer term investments after 2 August where cash balances were sufficient to allow this.

Investment rates were little changed during August to October but rose sharply after the MPC meeting of 1 November was unexpectedly hawkish about their perception of building inflationary pressures, particularly from rising wages. However, weak GDP growth data after December, plus increasing concerns generated by Brexit, resulted in investment rates falling back again.

Continued uncertainty in the aftermath of the 2008 financial crisis has promoted a cautious approach whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

Borrowing strategy and control of interest rate risk - During 2018-19, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.

The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Section 151 Officer therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks

- if it had been felt that there was a significant risk of a sharp FALL in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
- if it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than initially expected, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.

Interest rate forecasts expected only gradual rises in medium and longer term fixed borrowing rates during 2018/19 and the two subsequent financial years. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period.

Link Asset Services Interest Rate View 7.11.17														
	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21
Bank Rate	0.50%	0.50%	0.50%	0.50%	0.50%	0.75%	0.75%	0.75%	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%
5yr PWLB Rate	1.50%	1.60%	1.60%	1.70%	1.80%	1.80%	1.90%	1.90%	2.00%	2.10%	2.10%	2.20%	2.30%	2.30%
10yr PWLB Rate	2.10%	2.20%	2.30%	2.40%	2.40%	2.50%	2.60%	2.60%	2.70%	2.70%	2.80%	2.90%	2.90%	3.00%
25yr PWLB Rate	2.80%	2.90%	3.00%	3.00%	3.10%	3.10%	3.20%	3.20%	3.30%	3.40%	3.50%	3.50%	3.60%	3.60%
50yr PWLB Rate	2.50%	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.00%	3.10%	3.20%	3.30%	3.30%	3.40%	3.40%

4.5 Borrowing Outturn

£0.75m of PWLB borrowing matured in May 2018, due to cash flow balances and investment concerns (both counterparty risk and low investment returns) no new external borrowing was undertaken during the year. Total external borrowing as at 31st March 2019 reduced to £1.25m.

The Council has not borrowed more than, or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed.

No debt rescheduling was done during the year as it was not a viable option.

4.6 Investment Outturn

Investment Policy – the Council's investment policy is governed by HMCLG guidance, which was implemented in the annual investment strategy approved by the Council on 21st February 2018. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

Resources – the Council's cash balances comprise revenue and capital resources and cash flow monies. The Council's core cash resources comprised as follows:

Balance Sheet Resources (£000)	31 March 2018	31 March 2019
General Fund Balance	1,161	1,161
Earmarked reserves	5,246	5,230
Provisions	865	990
Usable capital receipts/grants	1,987	2,389
Total	9,259	9,770

Investments held by the Council - the Council maintained an average balance of £16.3m of internally managed funds. The internally managed funds earned £91,803 interest at an average rate of return of 0.57%. The comparable performance indicator is the average 7-day LIBID rate, which was 0.51%. This compares with a budget assumption of £60,000 investment interest.

5. RESOURCE IMPLICATIONS

5.1 As detailed in the report.

6. CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 4 Financial Procedure Rules (Article 13.8)	Delegated
Article 4.4	

7. STATEMENT OF CONFIDENTIALITY

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

8. BACKGROUND PAPERS

8.1 Background papers will be available for inspection and will be kept by the author of the report.

9. STATEMENT OF INTERNAL ADVICE

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

Author: Jon Triggs, Head of Resources

Date: 8th June 2019

Reference: T:\Technical\Adam\Treasury Management\ TM Annual Report 2018 19.doc



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES COMMITTEE

Date: 1 July 2019

TOPIC: APPROVAL & RELEASE OF S106 OPEN SPACE FUNDS – BICKINGTON, ILFRACOMBE & NORTH MOLTON

REPORT BY: PROJECT, PROCUREMENT & OPEN SPACE OFFICER

1 INTRODUCTION

1.1 This report seeks to allocate S106 public open space funds towards four schemes across the district.

2 RECOMMENDATIONS

2.1 That Strategy & Resources allocates:

2.1.1 £20,449.70 to Tomlin Hall Committee towards improvements of the hall.

2.1.2 £1,774.91 towards a Shelter at Marlborough Road Cemetery (NDC).

2.1.3 £5,000 to North Devon Homes towards Oakford Villas Play Area, North. Molton.

2.1.4 £3,519 to Victory Hall Committee, towards hall improvements at Victory Hall, North Molton.

2.2 Subject to approval of 2.1 above, that Strategy and Resources Committee recommends Council vary the capital programme by £30,743.61 and that funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed Head of Corporate and Community Services for external projects

3 REASONS FOR RECOMMENDATIONS

3.1 To allocate funds in line with the requirement of S106 agreements.

3.2 To protect and enhance public open space, including land and buildings.

4 REPORT

4.1 Tomlin Hall, Bickington

Tomlin Hall is Bickington's Village Hall. A survey completed by Fremington Parish Council identified the hall's facilities being outdated and in need of modernisation. This is the first phase of a number of proposed improvements.

A number of community groups use the hall, but with the proposed improvements, it is hoped the usage will increase. Current users groups include: Brownies, the WI, karate club, dog training and a church group.

The proposed works will provide improvement to this built recreation facility, to benefit community use by remodelling part of the hall to enlarge the storage area; a new more functional kitchen; new tiling, decoration, plumbing and heating.

Architectural drawings have been prepared and quotation secured. They anticipate works being carried out during the autumn of 2019 into spring 2020.

4.2 Shelter, Ilfracombe Cemetery

Parks, Leisure and Culture will purchase and install a shelter for Ilfracombe Cemetery. For many, the cemetery is used for a place of remembrance, however, it still has recreational use. A shelter will provide members of the public a place to shelter from inclement weather whilst still being able to view the cemetery.

4.3 Oakford Villas Play Area, North Molton.

North Devon Homes (NDH) own and maintain Oakford Villas Play Area, North Molton. It is situated in a residential area with high local use. Consultation with residents was carried out about how the play area could be improved. The proposed scheme will bring forward a more user friendly park through installing a single basketball post with a backboard and hoop, a single youth goal with steel socket heavyweight model, 1 meter of bow top fencing and Agri-Flex surfacing. These works will improve the standard of the play area for the local community. North Devon Homes have provided a quotation for the works.

4.4 North Molton Victory Hall

North Molton Victory Hall is in need of electric works, which will include wiring and installation of two smoke detector alarms in the main hall and one in the hall outside the toilets. The replacement of all faulty emergency lighting, a broken wall socket and the submain with the correct cable. Upgrading one consumer unit to bring up to standard and install a multi heat and smoke sensor alarm in the kitchen. The works are essential for Health and Safety. A quotation has been provided.

5 RESOURCE IMPLICATIONS

5.1 Tomlin Hall, Bickington

The total project cost is £36,035

That £20,449.70 be funded from the S106 capital budget from the following source:

Development Description	Application Number	Amount
Woolmers Farm, Bickington	52836	£20,449.70
	Total	£20,449.70

The remaining funding of £15,585.30 will be secured through funding bids and the halls own funding. Any overspend will be met by the Hall committee.

5.2 Shelter at Marlborough Road Cemetery

The total project cost is: £1,774.91.

That £1,774.91 be funded from the S106 capital budget from the following source:

Development Description	Application Number	Amount
The Marlborough Club, Ilfracombe	60271	£1,774.91
	Total	£1,774.91

Any overspend will be met by the existing Parks budget.

5.3 Oakford Villas Play Area, North Molton

The total project cost is: £5,386

That £5,000 be funded from the S106 capital budget from the following source

Development Description	Application Number	Amount
Lower Poole Barns, North Molton	63543	£5,000
	Total	£5,000

North Devon Homes will fund the remaining balance of £386. Any overspend will be met by North Devon Homes.

5.4 Victory Hall, North Molton

The Total project cost is: £3,519

That £3,519 be funded from the S106 capital budget from the following source

Development Description	Application Number	Amount
Lower Poole Barns, North Molton	63543	£3,519
	Total	£3,519

Any overspend will be met by Victory Hall committee.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3. Annexe 1. 1 (d)	Delegated

7 STATEMENT OF CONFIDENTIALITY

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

8 BACKGROUND PAPERS

8.1 The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

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

Author: L. Wheeler

Date: 5 June 2019

Reference: I:\Projects\Open Space & S106\Reports\010719 S & R Report - Tomlin Hall.docx



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY and RESOURCES COMMITTEE

DATE: 1 JULY 2019

**TOPIC: ADOPTION OF ROPERY ROAD CAR PARK TO
THE OFF STREET PARKING ORDER**

REPORT BY: PARKING MANAGER

1 INTRODUCTION

- 1.1 The land known as Ropery Road car park is owned by Ilfracombe Town Council.
- 1.2 The car park is currently managed under contract by a private company and enforced using Automatic Number plate Recognition (ANPR) technology.
- 1.3 The current contract is nearing conclusion and Ilfracombe Town Council have approached North Devon Council's parking team to explore the opportunity to provide enforcement of the car park in future.
- 1.4 To permit any future enforcement activities by North Devon Council Civil Enforcement Officers within the area known as Ropery Road car park, the North Devon (Off Street Parking Places) Order 2019 will require amendment.

2 RECOMMENDATIONS

- 2.1 Committee to approve Ilfracombe Town Council's request to amend the North Devon (Off Street Parking Places Order) 2019 to include car park area known as Ropery Road car park to permit any future enforcement activities by North Devon Council.
- 2.2 Committee to approve that delegated powers be given to Head of Operational Services to decide on the extent of the car park and the terms of use, due to the information not being available from Ilfracombe Town Council at the date of this report.

3 REASONS FOR RECOMMENDATIONS

3.1 To update the North Devon (Off Street Parking Places) Order to reflect current needs of Parish, Town and District Councils.

4 REPORT

- 4.1 Ilfracombe Town Council have requested the inclusion of the land area known as Ropery Road Car Park within the North Devon (Off Street Parking Places) Order to enable the car park to be included within North Devon Council's enforcement area.
- 4.2 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the permitted class of vehicles in Ropery Road car park.
- 4.3 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Scale of Charges for Ropery Road car park
- 4.4 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Days of Operation for Ropery Road car park.
- 4.5 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state the Hours of Operation of Scale of Charges for Ropery Road car park.
- 4.6 To include the area, the North Devon (Off Street Parking Places) Order will require amendment to state any Ancillary Matters for Ropery Road car park.
- 4.7 As information regarding 4.2-4.6 is not available at time of report and to avoid delay, it is recommended that Committee give approval for delegated powers to be given to Head of Operational Services to decide on the extent of the car park and the terms of use.
- 4.8 All amendments to the North Devon (Off Street Parking Places) Order 2019 approved under delegated powers will be compiled, consulted for a statutory minimum period and then if any representation made brought back to Committee for consideration.

5 RESOURCE IMPLICATIONS

- 5.1 Any agreed arrangement will be for North Devon Council Civil Enforcement Officers to include Ropery Road car park within current patrol routes.
- 5.2 Any agreed arrangement will be for North Devon Council Notice Processors to undertake all administration with regards to Penalty Charge Notices issued in Rookery Road car park by North Devon Council Civil Enforcement Officers.

- 5.3 The Parking Manager represents North Devon Council with regards to any appeals submitted to the Traffic Penalty Tribunal for Penalty Charge Notices issued under North Devon (Off Street Parking Places) Order, including representing any new areas added to the Order through later amendment.
- 5.4 The administration and responsibility for any Penalty Charge Notices issued by any other party prior to the inclusion of Ropery Road Car Park within North Devon Council Enforcement Area will remain with that party.
- 5.5 Any agreed arrangement will be for all management of the car park, excluding enforcement activities, such supplying and maintaining Pay and Display machine(s), supplying and maintaining signage, maintaining car park area surfaces, structures, drainage, public realm and foliage will remain the responsibility of Ilfracombe Town Council.
- 5.6 Any agreed arrangement will be for all monies received from Penalty Charge Notices, excepting PATROL fee deduction required for Traffic Penalty Tribunal, to be retained by North Devon Council for costs of supplying patrols and Penalty Charge Notice administration.
- 5.7 Any agreed arrangement will be for all monies from pay and display income from Ropery Road car park, and collection of said monies, to remain the responsibility of Ilfracombe Town Council.
- 5.8 Any agreed arrangement will be for any provision of any cashless payment solution, and all associated administration, to be the responsibility of Ilfracombe Town Council.
- 5.9 Any amendment to the North Devon (Off Street Parking Places) Order needs to be compiled, consulted for a statutory minimum period and then if any representation made brought back to Committee for consideration. All associated legal and advertising costs to be met by Ilfracombe Town Council.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Article 7.12	Delegated
Appendix 4 Para 17	

7 STATEMENT OF CONFIDENTIALITY

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

8 BACKGROUND PAPERS

8.1 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.

9 STATEMENT OF INTERNAL ADVICE

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

Author: Natalie Nolan

Date: 11 June 2019



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY & RESOURCES COMMITTEE

Date: 01 July 2019

**TOPIC: EXTENSION TO DEVON WAN (WIDE AREA NETWORK)
PARTNERSHIP CONTRACT**

REPORT BY: BUSINESS INFORMATION SYSTEMS MANAGER

1 INTRODUCTION

1.1 North Devon Council has been part of the Devon WAN Partnership since 2011, with Devon County Council taking the lead in terms of procurement and contract management.

As part of our current contract, we commission 7 Devon WAN links that allow us to deliver connectivity and services across the following sites:

1. Brynsworthy Environment Centre
2. Lynton House
3. North Devon Crematorium
4. Woodlands Enterprise Centre
5. Barnstaple Museum
6. The Ilfracombe Centre
7. The Amory Centre

1.2 This partnership/contract also enables us to connect with our neighbouring authorities e.g. Torridge District Council as we host their Payroll System, Mid Devon to enable payments to come back to North Devon Council from the Building Control Partnership and also provides a shared connection into the secure PSN (Public Services Network) to enable us to share personal and often sensitive data with organisations such as the Police and Department of Work and Pensions.

1.3 Devon County have just entered into another contract with our incumbent WAN supplier, Udata and we wish to also continue our arrangement for a further year, with an option to add a further year.

1.4 Our last procurement exercise transferred the services from one supplier to another and as part of that new relationship all customers were required to transform their services with new routers at all sites. To move to another supplier would require those cost to be incurred again and not provide a good return on our capital investment.

2 RECOMMENDATIONS

- 2.1 That we set aside the requirements to tender in the Contract Procedure Rules (in Part 4 of the Constitution) and give authority to enter into an extension to its contract provision for the provision of its Wide Area Network.
- 2.2 It is essential that all partners remain with the same supplier to enable these connections and services to continue.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Devon County Council have always taken the lead in the procurement element of this partnership ensuring that value for money is achieved for themselves and partnering District Councils.
- 3.2 Not to contract with our incumbent supplier would put us at risk of not having the connectivity we require to deliver business as usual and having to conduct our own tender that would not be timely or cost effective.

4 REPORT

- 4.1 Nothing further to add.

5 RESOURCE IMPLICATIONS

- 5.1 If approved, this will enable us to reduce our base budget by £8,000.00 as we will have clear visibility of the costs for the next year or two.

6 EQUALITIES ASSESSMENT

- 6.1 No equality implications.

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Contract Procedure Rules (in Part 4 of the Constitution)	

8 STATEMENT OF CONFIDENTIALITY

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

9 BACKGROUND PAPERS

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

10 STATEMENT OF INTERNAL ADVICE

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



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY AND RESOURCES COMMITTEE

Date: 1 July 2019

**TOPIC: BRAUNTON BURROWS SPECIAL AREA OF
CONSERVATION VISITOR IMPACTS AND MITIGATION**

REPORT BY: HEAD OF PLACE

1 INTRODUCTION

- 1.1 The purpose of this report is to seek approval to commence securing developer contributions towards a strategic environmental mitigation strategy for Branton Burrows Special Area of Conservation (SAC).
- 1.2 Evidence produced since the adoption of the North Devon and Torridge Local Plan (the "Local Plan") concludes that as a result of increasing visitor pressure adverse effects on the integrity of the SAC cannot be ruled out and development which contributes to harm of the SAC should not be granted without appropriate mitigation measures being in place.
- 1.3 Natural England has advised that a formal mitigation management plan must be produced to provide certainty on what mitigation measures are required.
- 1.4 The mitigation management plan is due to be completed by September 2019 and therefore interim measures are required.

2 RECOMMENDATIONS

- 2.1 That the Local Authority commence collection of developer contributions at a rate of £100 per unit (including administration fees) on any development resulting in a net gain in temporary or permanent residential or holiday accommodation within the identified Zone of Influence (Zol).
- 2.2 That the rate of contributions is reviewed as soon as reasonably practical following the completion of the formal mitigation management plan.
- 2.3 That Full Council be recommended to amend the Scheme of delegations to provide delegated power to the Head of Corporate and Community to enter into undertaking and obligations under s106 T&CPA and/or s111 LGA1972 to secure contributions.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To fulfil the Council's statutory duty to ensure that any plan or project will not adversely affect the integrity of a European Community Habitats Directive designated site and to secure any necessary compensatory measures to ensure the overall coherence of the site is protected.
- 3.2 To enable the ongoing functionality of the Local Planning Authority to determine planning applications and continue issuing permission for otherwise policy compliant development within the Zol.

4 REPORT

- 4.1 The Conservation of Habitats and Species Regulations 2017 sets out a duty to maintain and restore European Designated Sites. Local authorities are required to have regard to the implications of plans or projects on the integrity of protected sites conservation objectives.
- 4.2 The SAC is also designated as a Site of Special Scientific Interest (SSSI) and is protected by the provisions of Part II of the Wildlife & Countryside Act 1981 (as substituted by Schedule 9 to the Countryside & Rights of Way Act 2000 and inserted by section 55 of the Natural Environment and Rural Communities Act 2006).
- 4.3 The North Devon and Torridge Local Plan Habitat Regulations Assessment (HRA) has iteratively assessed the Local Plan at each stage of its development. The HRA includes detailed Appropriate Assessment (AA) of potential impacts on Branton Burrows SAC and the Culm Grassland SAC resulting from the cumulative effect of all development within the Local Plan.
- 4.4 All further impacts on any protected sites resulting from individual Local Plan allocations alone or in combination with other plans or projects was screened out from further assessment.
- 4.5 At the Local Plan Examination the Inspector agreed with the conclusions of the Local Plan HRA/AA in that the potential impacts on Branton Burrows SAC and the Culm Grassland SAC were minimal and within acceptable limits. The Local Plan was adopted on this basis.
- 4.6 The Council commissioned Footprint Ecology to assess potential impacts on Branton Burrows SAC as a result of further non plan-led development in combination with that allocated for within the Local Plan. The Branton Burrows SAC – An Assessment of the Potential Recreational Impacts Linked to Non Plan-Led Development report was finalised in March 2019.
- 4.7 The report concluded that 'the Council as competent authority and Natural England as statutory nature conservation body can now respond positively, recognising a threat to the site that is only going to be exacerbated with further development in the absence of mitigation. It is therefore right to strive to achieve the conservation objectives by putting mitigation measures in place now, and not waiting for further deterioration before acting. The latter would be

contrary to their public body duties' and that '*when considering measures to alleviate recreation pressure, any mitigation measures necessary to provide the necessary certainty of effectiveness are best established at a more strategic level, i.e. where individual developments contribute towards a centrally managed mitigation approach*'.

- 4.8 In its e-mail of 13th November 2018 Natural England responded to a draft version of the report stating that "*This would suggest that there is a probability or risk that recreational activities arising from occupants of all new residential development within the Zone of Influence (ZOI) would, in combination, have a significant effect on the SAC and that the appropriate Assessment to accompany all new applications will need to address measures for mitigation.*"
- 4.9 In response to the final version of the report Natural England stated that '*If in the light of the recent Footprint evidence (and any further evidence that emerges subsequently) adverse effects on the integrity of the SAC cannot be ruled out consent should not be granted*' and that '*there are requirements for certainty both that mitigation measures will be in place before impacts occur and that the measures will work*'.
- 4.10 On behalf of the Local Authority, Footprint Ecology have carried out further visitor surveys and identified a robust Zol. The Zol encompasses Croyde Bay in the north and runs from Putsborough across to Barnstaple, with the southern edge following the A361/A39 as far as the Torridge (see Appendix A). A fully costed mitigation management plan is currently being produced and will reflect the Local Authority position in partnership with Natural England, National Trust and the landowner Christies Estate. Delivery of the mitigation plan will be through contributions secured from development within the Zol over the lifetime of the Local Plan.
- 4.11 The Local Authority seeks to adopt an interim position to cover the period prior to the mitigation plan being finalised. In order to address the duty referred to above, it is considered it will be necessary to adopt an interim position. The interim position will enable the Local Planning Authority to determine applications and continue issuing permission for otherwise policy compliant development within the Zol.
- 4.12 The Local Authority will seek contributions at a rate of £100 per unit (including administration fees) on any development resulting in a net gain in temporary or permanent residential or holiday accommodation within the Zol. The interim mitigation costs are based on the annual average rate of approved applications within the Zol since 2011. The per-unit contribution will be reviewed once the mitigation plan is published and detailed mitigation proposals are available.
- 4.13 The Local Planning Authority cannot legally grant planning permission for developments where the impacts on the protected habitats are not mitigated, and hence the habitats mitigation contribution must either be paid before permission is granted, or a Unilateral Undertaking must be in place before permission is granted. Advice has been sought from local authorities managing the Exe Estuary/Dawlish Warren habitat mitigation plans which have informed the selection of the most appropriate means of collecting contributions.

4.14 Unilateral Undertakings can involve significant legal expense for applicants, and delays to the issue of consent, and the Council's preference is therefore for applicants to provide an s111 Undertaking (Local Government Act 1972) and the necessary payment at the time at which planning applications are submitted.

4.15 The s111 Undertakings provide for the return of any monies paid in the event that planning permission is refused, or the timeframe for implementing the permission has expired, or an appeal lodged in respect of a refused planning permission is dismissed, subject to a reduction of any administration costs.

4.16 Proposals for onsite mitigation measures will not be implemented until sufficient funds accrue.

5 RESOURCE IMPLICATIONS

5.1 There are no additional costs to North Devon Council other than the already identified costs of Local Plan evidence base and currently emerging mitigation plan.

5.2 There are administrative fees associated with collection of developer contributions but these are to be covered within the per unit rate fee.

5.3 If the Council determines not to formally seek developer contributions towards strategic mitigation measures, the Authority may be subject to challenge.

6 EQUALITIES ASSESSMENT

6.1 Not applicable.

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3 Annexe 1	Referred and delegated

8 STATEMENT OF CONFIDENTIALITY

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

9 BACKGROUND PAPERS

9.1 The following background papers were used in the preparation of this report:

- North Devon and Torridge Local Plan – Adopted (October 2018)
- North Devon and Torridge Local Plan Habitats Regulations Assessment (November 2017)

- Branton Burrows SAC – An Assessment of the Potential Recreational Impacts Linked to Non Plan-Led Development. Footprint Ecology. (March 2019).
- Branton Burrows Visitor Survey Results 2019. Interim Report with Postcode Data. Footprint Ecology. (March 2019)

The background papers are available for inspection and kept by the author of the report.

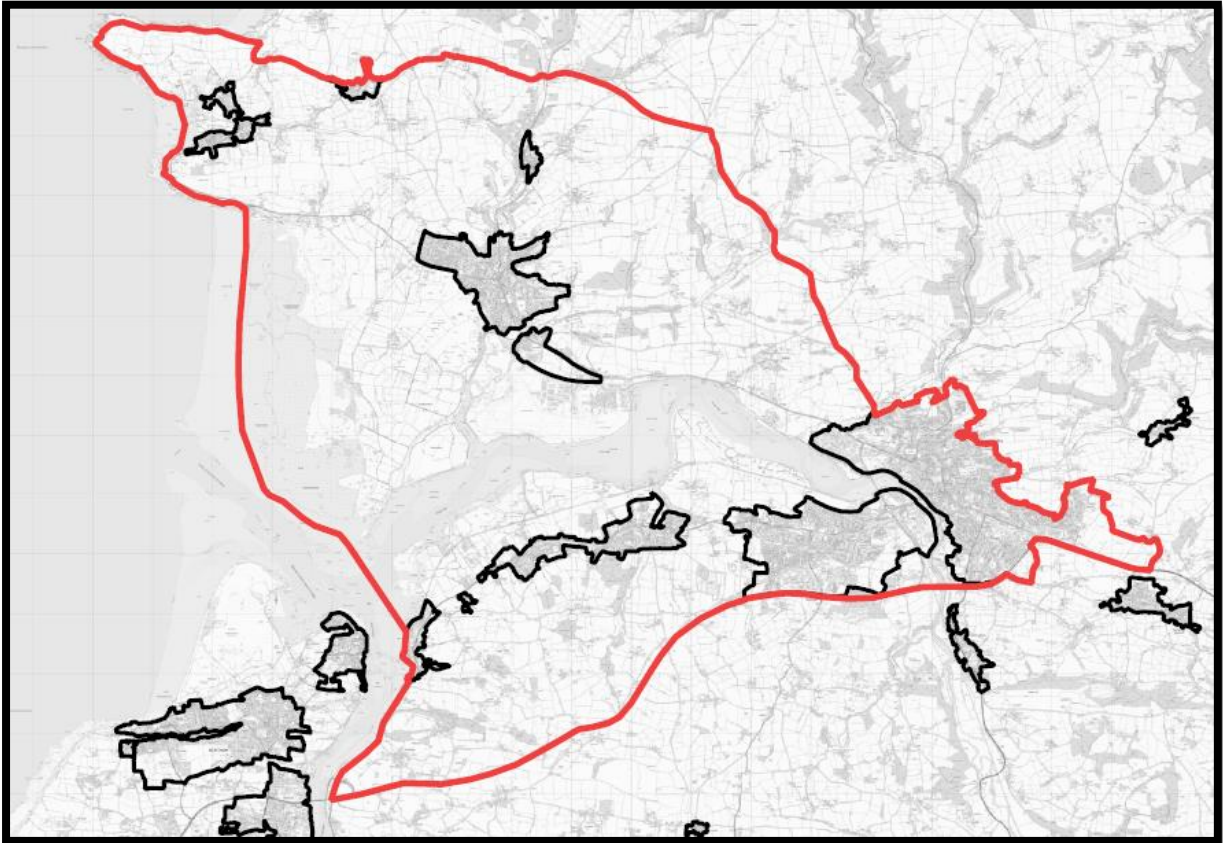
10 STATEMENT OF INTERNAL ADVICE

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

Author: Mark Saunders Date: 19th June 2019
Reference: Braunton Burrows SAC Mitigation

This page is intentionally left blank

Appendix A : Branton Burrows Zone of Influence



This page is intentionally left blank



NORTH DEVON COUNCIL

Open

REPORT TO: STRATEGY AND RESOURCES COMMITTEE
DATE: 1ST JULY 2019
TOPIC: EQUALITY STRATEGY 2019-2023
REPORT BY: SENIOR CORPORATE AND COMMUNITY SERVICES OFFICER

1 INTRODUCTION

- 1.1 North Devon Council is committed to achieving equality of opportunity both as an employer of people and as a provider of services.
- 1.2 Previously North Devon Council produced a joint Plan with Torridge District Council for 2011-2015.

2 RECOMMENDATIONS

- 2.1 Recommended that the Equality Strategy for 2019-2023 be adopted.

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that the Council has an up-to-date Strategy in place to meet its duty under the Equality Act 2010.

4 REPORT

- 4.1 As an employer and deliverer of services, North Devon Council is committed to eliminating unlawful discrimination, promoting equal opportunities and fostering good relations between people from all communities.
- 4.2 The Equality Act 2010 came into force in October 2010 and legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act.
- 4.3 The Act covers nine protected characteristics and these are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage or civil partnership (in employment only), pregnancy and maternity, race, religion or belief, sex, sexual orientation. Every person has one or more of these protected characteristics, so the Act protects everyone against unfair treatment.

- 4.4 As part of the Act, public authorities must comply with the public sector equality duty (“the equality duty”). This duty replaced the previous race, disability and gender equality duties and was developed to extend across all the protected characteristics. It consists of a general equality duty, supported by specific duties and requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Act.
- 4.5 Public authorities must publish information to show their compliance with the equality duty as part of the decision making process. The information published must have due regard to the need to:
- 4.5.1 Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
 - 4.5.2 Advance equality of opportunity between people who share a protected characteristic and those who do not
 - 4.5.3 Foster good relations between people who share a protected characteristic and those who do not.
 - 4.5.4 Publish equality information at least once a year to show how they’ve complied with the equality duty.
 - 4.5.5 Prepare and publish equality objectives at least every four years.
- 4.6 A revised Equality Strategy is attached as Appendix A to the report. The publication of the Equality Strategy will support the Council in meeting the general and specific duties as part of the Act.
- 4.7 The strategy outlines the Council’s equality objectives and how the Council will fulfil its moral, social and legal obligations and what we will do to make North Devon a place where people get along with each other and treat each other with dignity and respect.
- 4.8 Public consultation has been undertaken on the draft strategy between 29th April 2019 and 10th June 2019. Four consultation responses have been received and are detailed in Appendix B to the report. The consultation responses will be published on the Council’s website. The Council provides grant funding to a variety of organisations including Go North Devon.
- 4.9 Training on the new Strategy will be provided to all Councillors on 17th September 2019 which attendance at is mandatory. Training will also be provided for all staff (dates to be confirmed).
- 4.10 As part of the decision making process, report authors will be required to confirm whether any equalities implications are anticipated as a result of their report and if so will be required to complete an Equality Impact Assessment Summary form available which will be published on the Council’s website.
- 4.11 An action plan which be published on an annual basis demonstrating the Council’s compliance with the equality duty.

5 RESOURCE IMPLICATIONS

5.1 Accommodated within existing staff resources.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?
Part 3 Annexe 1 Paragraph 1	Delegated

7 STATEMENT OF CONFIDENTIALITY

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

8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

- Equality Act 2010
- Joint Inclusive Equality Scheme Action Plan 2012-2015
- Consultation responses

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

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

Author: Bev Triggs Date: 11th June 2019
Reference: \\w2knddc.ad\data\CivicCentre\Units\Corp
Comm\Democratic\Committee\Reports\Strategy and Resources\2019.07.01\2019.07.01
Equality Strategy report.docx

This page is intentionally left blank



North Devon Council Equality Strategy

2019 - 2023

Document Control

Organisation	North Devon Council
Title	Equality Strategy
Creator	Ken Miles
Source	
Approvals	SMT
Distribution	
Filename	
Owner	Head of Corporate & Community Services
Review date	TBC

Document Amendment History

Version No.	Originator of change	Date of change	Change Description
2.0	Ken Miles	July 2018	New Strategy
2.1	Kate Johnston	April 2019	Updates

Equality Strategy

Version 2.1 / April 2019

Content

1. Introduction
2. The Equality Action 2010 and the Public Sector Equality Duty
3. Why is Equality important to the Council?
4. Equality in the delivery of our services
5. Equality in employment
6. Consultation and engagement
7. Our successes and achievements
8. Measuring our progress
9. How to contact us

DRAFT

1. Introduction

As an employer and deliverer of services, North Devon Council is committed to eliminate unlawful discrimination, promoting equal opportunities and fostering good relations between people from all communities. This Strategy sets out our commitment for progressing equality over the next four years.

The Strategy outlines our equality objectives, describes how we will fulfil our moral, social and legal obligations and what we will do to make North Devon a place where people get along with each other and treat each other with dignity and respect.

The Strategy covers inequality in terms of age, disability, gender reassignment (transgender/trans), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and is aimed at those who live, work in and visit the district, as well as elected Councillors and employees of the Council.

2. The Equality Act 2010 and the Public Sector Equality Duty

The Equality Act 2010

The Equality Act 2010 came into force in October 2010 and legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The Act covers nine protected characteristics and these are the grounds upon which discrimination is unlawful. Every person has one or more of these protected characteristics, so the Act protects everyone against unfair treatment.

The characteristics are:

- age
- disability
- gender reassignment (1)
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

(1) Before, during and after transition. This wording is the terminology used in the Equality Act; transgender (or trans) is now the accepted terminology. The Council understands there are many different identities which fall under the trans umbrella, including identities outside of the gender binary.

As part of the Equality Act 2010, public authorities must comply with the public sector equality duty (the “equality duty”). The equality duty replaced the previous race, disability and gender equality duties and was developed to extend across all the protected

characteristics. It consists of a general equality duty, supported by specific duties and requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act.

Public Authorities must publish information to show their compliance with the equality duty as part of the decision making process. The information published must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act,
- Advance equality of opportunity between people who share a protected characteristic and those who do not,
- Foster good relations between people who share a protected characteristic and those who do not.

In addition, public authorities also have specific duties and must do the following:

- publish equality information at least once a year to show how they've complied with the equality duty,
- prepare and publish equality objectives at least every four years.

The publication of our Equality Strategy will support us in meeting the general and specific duties placed on us as part of the Equality Act.

3. Why is equality important to the Council?

North Devon Council is reviewing the way services are delivered to the customer.

This is about looking at what we do from the outside-in or from the customers/residents point of view; it means understanding the different and sometimes multiple needs of our residents, including those who do not actively engage with the Council.

As a public service provider, it is important we recognise that our residents and customers come from different backgrounds. This will enable the Council to design and deliver services that meet the needs of the communities we serve. By understanding these differences and encouraging others to do the same, we can improve the quality of life for everyone by ensuring people who live, work or visit our district are treated fairly, with respect and are given the same chances and opportunities by taking into consideration their different needs.

As an employer, we believe that it is in the Council's interests and in the interests of all who work for the Council, that we ensure that every possible step should be taken to ensure that individuals are treated equally and fairly and that decisions in recruitment and selection, training, promotion and career management are based solely on objective and employment-related criteria and that reasonable adjustments are made where feasible.

4. Equality in the delivery of our services

Equality Impacts

There is no longer a specific legal requirement for the Council to undertake an equality impact assessment. However, we are legally required to demonstrate that we have given 'due regard' to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations. In practice this means that equality considerations still need to be evidenced in our decision-making processes and policies. Any potential impact on equality should be considered before any key decisions are made and should be integrated into day-to-day policy-making, business planning and other decision-making arrangements. This is particularly relevant when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we must have relevant equalities evidence to justify this.

Our Dignity at Work Policy and Equality Assessment Guidance is available for officers on the internal website. Further guidance and assistance is available from the Human Resources Manager.

Equality Monitoring

The Council has a requirement to publish equality information at least once a year to show how we have complied with the equality duty. The Council recognises this also makes good business sense as it can help local people assess the Council's performance on equality, the impact our policies and practices have had, tell us who is and isn't using our services; understand why our services may not meet their needs and help us to improve the delivery of our services by identify any data gaps and address any issues. Any monitoring undertaken must be proportionate and relevant and of a benefit to our communities.

Procurement & Commissioning

The Council provides a wide range of services to residents and businesses in the area. In some cases these are provided directly by the Council, in other by our partners and contractors. When a supplier provides goods, services or works on our behalf, we will ensure the equality obligations are part of the terms of a contract so that we know they will monitor the impact on service users and those they employ. The ultimate legal responsibility for meeting the requirements of the Equality Act remain with the Council for any services delivered on our behalf.

Specifically we will;

- Communicate this strategy to all potential contractors and service providers,
- Ensure contractors and service providers have policies, procedures and practices that do not discriminate and deliver goods, facilities and services that are appropriate and accessible,
- Provide opportunities for all to be in a position to bid and win council contracts on an equal basis and
- Monitor the contracts and service arrangements to ensure they are meeting their equality commitments.

5. Equality in employment

The Council is working towards achieving a diverse workforce and offering equality of opportunity in employment, recruitment selection, training and development. We aim to ensure that the workplace is free from discrimination, victimisation or harassment of any kind where staff are treated with respect.

Employment policies

The Council has a wide range of policies in place for our staff and prospective employees. These policies support our staff and provide clear guidance to all employees about what is expected of them and what they can expect from us as an employer. We will continue to review the range of policies and be pro-active in promoting and supporting equality in the workforce. This includes eliminating bullying and harassment, addressing discrimination, ensuring equality in pay and creating a flexible work-life balance.

The Equal Opportunities Policy pulls together the Council's commitment to equality within the workplace.

Equality Training

Equality training is provided for staff to ensure they are made aware of their rights and responsibilities. In particular all managers will be trained on a regular basis in equalities matters concerning employment. Similarly there is an expectation that all Councillors will attend Equality training.

Equality issues are an integral part of our training and development programmes, regardless of whether the council uses internal or external trainers.

In addition to the generic equality training, tailored equality training to reflect the needs of specific services will be encouraged, particularly for services engaging with external customers and / or where there is a significant engagement with protected group(s).

The Council makes a strong commitment to training and development for all staff. All staff will have equal access to training and development and we will take positive action where appropriate for those who are underrepresented in our workforce.

6. Consultation and engagement

The Council wants to ensure that anyone who accesses council services either as a resident, visitor, customer or employee feels well informed about local issues; has the opportunity to get involved, influence local decision making and gets the opportunity to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations.

The Council's aim is to help everyone in North Devon have the opportunity to feel informed, consulted and involved in how their council makes decisions and delivers services.

To achieve this, the Council will:

- Develop a strategic approach that provides clear guidance and promotes successful engagement across all service areas
- Plan and co-ordinate activities, the use of resources and, where possible, work collaboratively
- Actively encourage involvement from all communities, including those from traditionally 'hard-to-reach' groups so that everyone has a chance to represent their viewpoints on issues relevant to them
- Use the most appropriate method to consult and engage making the experience interesting, relevant and worthwhile for participants
- Develop and implement new approaches to how we carry out engagement activities.
- Communicate results and ensure that the outcomes are used to inform the Council's policies and decision-making processes
- Use the information from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints.

As a Community Leader and a public service provider, North Devon Council considers, as a matter of course, the needs, desires and aspirations of its people and the communities they form. This means:

- Providing information on the things we are doing or planning
- Consulting with communities and involving them in what the council does
- Ensuring that all communities are able to influence the decisions and direction of the council.

If you would like to get involved taking part is easy and you can do as little or as much as you like e.g. from completing surveys on local issues to being part of a focus group. Your views can make a difference.

All of our current consultations can be found on our website at www.northdevon.gov.uk/consultations

7. Our successes and achievements

- Disabled Facility Grants – Available to assist with costs of improving access to, and facilities within properties, eg installation of wet-rooms, stair-lifts and ramps.
- Community Councillor Grants – Awards made to groups and organisations to finance projects which benefit the local community.
- Communities Together Fund awards – Awards made to groups and organisations to finance projects which benefit the local community.
- Promoting Lesbian Gay Bi-sexual and Transgender (LGBT) events with the Sunrise Organisation through the award of Community Councillor grants and promotion of events via the regular "Grants and Community News" newsletter.
- Community Safety Partnership – Working in partnership with a neighbouring Local Authority, Devon and Cornwall Police, Devon and Somerset Fire and Rescue Service, and Dorset, Devon and Cornwall Community Rehabilitation Company to

consider wider issues, such as crime prevention and anti-social behaviour, and how together we can respond to local issues and improve quality of life for residents.

- Provision of equality training for Officers and Councillors.
- Council Tax Reduction Scheme – Financial assistance for those in need of help towards the cost of Council Tax. This could be for students, those living alone, or those with a severe mental impairment.
- Assistance with applications to the 'Devon Home Choice' housing register.
- Redesign of council car parks to ensure they have good disabled access, along with accessible signage and payment machines.
- Installation of hearing loop as part of the refurbishment of the Museum.
- Improved access and installation of hearing loop at the Crematorium.
- The installation of an element of inclusive play equipment when replacing equipment. Improvement of disabled access to public buildings where possible.
- Consideration of disabled facilities as part of development process for new projects.
- Make information accessible by considering the needs of potential and existing customers. We take steps to make all information as accessible and easy to read as possible, with the use of plain English and provision of alternative methods of communication when required. This includes large print letters, telephone calls, visits, translation and interpretation services and a range of contact methods on offer.
- When publishing content on the Council's website follow web-accessibility standards.
- Ensure accessibility of Council meetings and events by using venues that are accessible when possible.
- Provision of hearing loop systems at face to face Council customer service sites at Lynton House, the Ilfracombe Centre and the Amory Centre at South Molton.

8. Measuring our progress

We will inform the public and staff about our progress through:

- An annual equality report
- Our information and advice services
- Council website
- Media (including social media) for advertising and press releases
- Our community networks
- Annual report on Gender Pay Gap for NDC employees

9. How to contact us

To give us your views, get involved or for further information please contact equality@northdevon.gov.uk or 01271 388253

To find out about the councils engagement activities please contact us or visit www.northdevon.gov.uk/consultations

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

DRAFT

2019 Equality Strategy 2019-2023 – Consultation ran from 29th April 2019 to 10th June 2019 (inclusive).

Four responses left by anonymous members of the public as follows:

Please confirm / give details of your/your group or organisation's 'Protected Characteristic(s)' as defined in the Equality Act 2010. (The Equality Act assumes that everyone would be defined by (at least) one 'protected characteristic').

The Protected characteristics listed:

Age	Disability	Gender Reassignment	Marriage or civil	Pregnancy and maternity	race	Religion or belief	sex	Sexual orientation
Y	N	N	Y	N	Y	N	Y	Y
Y	Y	N	N	N	N	N	N	N
N	Y	N	N	N	N	N	N	N
Y	N	N	N	N	N	N	N	N

Please give more information about your protected characteristics has affected your views/opinion of the strategy.

I want the strategy to protect me from discrimination.
Services for the elderly and disabled have been eroded over the years. It is now extremely difficult to remain as part of the community owing to lack of transport and locally based facilities.
Apart from the provision of hearing loops the document seems to contain many aspirations but little detail on hoe they are to be met. (e.g. "communicate the results etc, of the strategy", how? when? where? by whom? Who has the responsibility for doing this?) Unless a named individual is responsible experience tells me that very little happens.
No comment left by respondent number 4

What have we NOT covered that would be important to you/your group in terms of issues experienced?

The draft strategy document was vague so I think it covers what's important to me, but I'm not sure.
Transport is the mail priority
A named, responsible individual with their contact details who will receive and act on comments and complaints.

No comment left by respondent number 4
--

Any comments about what we, as a Council, are doing (or not doing) to help?

Please fully implement the Equality Act 2010.
We need more regular public transport to access services such as hospital and things like citizens advice
No comment left by respondent number 3
No comment left by respondent number 4

Any further comments regarding the strategy?

Only respondent number 1 left a comment:

No. I hope you get more useful feedback from others than I've been able to give you.