

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 2nd August, 2021 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

Councillors Knight, Lane, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Lead Officer - Planning Policy, Senior Solicitor/Monitoring Officer and Senior Economic Development Officer

Also Present:

Councillors Mack and D. Spear

45. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

46. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 5 JULY 2021 (ATTACHED).

RESOLVED that the minutes of the meeting held on 5 July 2021 (circulated previously) be approved as a correct record and signed by the Chair.

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

(a) Organisation Restructure

The Chief Executive provided an update to the Committee regarding the staff restructure. He formally congratulated Jon Triggs on his appointment as Director of Resources and Deputy Chief Executive following an interview process and that he would be an extremely useful addition to the team. Interviews for the Heads of Services positions would start on 5 August 2021 and all Heads of Services would be in post by 28 August 2021.

(b) Quay Road, Ilfracombe

Councillor Pearson requested an update on the position regarding consultation being carried out on changing the Pier car park from a short stay to a long stay car park.

The Chief Executive advised he would find out the position and provide Councillor Pearson with an update.

(c) Informal Briefing

The Chair advised Members that an informal briefing would be held immediately following the conclusion of the formal Committee meeting.

48. DECLARATIONS OF INTERESTS.

There were no declarations of interest received.

49. BIOSPHERE NATURE RECOVERY PLAN AND DECLARATION

The Committee considered a report by the Lead Officer Planning Policy (circulated previously) regarding the Biosphere Natural Recovery Plan and Declaration.

Mike Moser, Chair of the Biosphere Reserve's Nature Improvement Group addressed the Committee. He advised the Committee of the following:

- Outlined his background in nature conservation in the UK and developing countries.
- The next 10 years were crucial. Both nationally and within northern Devon, the wildlife was a shadow of its former glory. Many species were in long term decline and we had lost many important and keystone species. The UK was among the most nature depleted countries in the world.
- Both the rivers Taw and Torridge were failing ecological and chemical standards, revealing that land use and activities in their catchment were not sustainable.
- Climate change was exacerbating the current problems affecting wildlife and their habitats.
- There was an opportunity to support and facilitate nature's recovery. One of the Biosphere Reserve's purposes was to be able to test innovative approaches for living sustainably as an exemplar for sustainable development. As such, a Nature Recovery Plan had been prepared by the Nature Improvement Group of the Biosphere Reserve Partnership as its response to the global ecological emergency.
- Over the past 6 months, 40 officers from across the organisations within the Biosphere Partnership had worked on producing the Plan and the 5 action plans covering the key habitats in the Biosphere. He explained the key actions within the action plans and how they would be delivered. Communications and working in partnership would be key to delivering the priorities.
- The Council's work on the Local Plan was the "front end" of delivering improvements that were required.
- A Nature Recovery Declaration had also been prepared seeking all community groups, businesses and individuals to sign up to actions within their control and responsibility that would contribute towards achieving this

vision. There had been a “soft launch” of the declaration 2 weeks ago and there had already been 300 signatories pledging their support.

The Lead Officer Planning Policy outlined the following to the Committee:

- The Recovery Plan would help nature to recover in partnership with other organisations.
- The Plan detailed priority actions required from 2021-25 to move towards a 2030 Vision for nature’s recovery across northern Devon. The actions were challenging but considered to be achievable by the lead organisations. The actions and progress against them would be reviewed in 2025.
- The majority of priority actions assigned to the Council for delivery were either in progress or it was already planned for the future, therefore there was no requirement for additional resources.
- The draft Nature Recovery Plan was published on 6 July and was subject to public consultation until 15 August 2021.

In response to questions, Mike Moser, Chair of the Biosphere Reserve’s Nature Improvement Group advised the following:

- The Biosphere Reserve’s Nature Improvement Group was already working with the Exmoor National Park Authority. The National Park had committed to peatland restoration and had an important role within the Plan.

Councillor Yabsley declared a personal interest as a Devon County Council Member of the Biosphere Reserve Partnership and also as a farmer.

The Committee requested that the Group also consider areas of scrubland within the Plan as there was a need to protect these areas as many connected to the hedgerows and the Sustainable Farm Initiative.

RESOLVED that:

- (a) the Lead Officer Planning Policy be authorised to respond to the draft Nature Recovery Plan by supporting the proposed vision and actions within it;
- (b) the Council sign the Nature Recovery Declaration, agreeing to undertake each of the actions identified for Councils;
- (c) all members and staff be encouraged and invited to pledge their support for this Declaration as individuals, and to share it with their family and friends where appropriate.

50. NORTHERN DEVON ECONOMIC RECOVERY PLAN

The Committee considered a report by the Chief Executive (circulated previously) regarding the Northern Devon Economic Recovery Plan.

The Senior Economic Development Officer outlined the following to the Committee:

- The Plan had been produced in partnership with Torridge District Council.
- The Council previously had an Economic Strategy which ended in 2020. The Council was planning on launching consultation on a new strategy in 2020, but this was put on hold due to the pandemic.
- Since the pandemic, businesses had changed and would continue to change. Therefore the recovery plan was for a 3 year period.
- Many other organisations had put in place a 3 year recovery plan, however it was considered important to have such a plan in place for northern Devon.
- The Plan set out a higher level vision and how businesses would be supported during this period. A detailed evolving action plan would be produced which would sit alongside the plan detailing support for businesses.

RESOLVED that the content of the northern Devon Economic Recovery Plan be approved.

51. IMPLICATIONS OF DECISION NOT TO SELL LAND AT WESTACOTT PARK

The Committee considered a report by the Chief Executive (circulated previously) regarding the implications of the decision not to sell land at Westacott Park.

The Chief Executive outlined the following to the Committee:

- The implications of the decision taken by the Committee on 5 July 2021 and the options for delivering BAR01 in the future.
- Policy BAR01 set out the policy context for the urban extension of Barnstaple at Westacott. The smallest area of land was owned by Progress Land who had approached the Council to request a sale which was considered by the Committee on 5 July 2021.
- Although Progress were arguing differently, it was not likely that the outline consent for the Progress land could be implemented as the secondary access was no longer capable of being constructed.
- At present discussions were taking place with Progress Land and Devon County Council as to where the alternative access could be constructed. The options were via Castle Park Road or via Westacott Lane. Both options had very real difficulties.
- The remainder of the land allocation in BAR01 was within the control of Barwood. An outline application for the development was currently being dealt with by the planning team. However consideration of that application and the design work to date in terms of Masterplanning had been based on there being a secondary access. If no secondary access was provided, then the development would not be in compliance with the Council's Local Plan and would naturally be deemed to be unsustainable. In those circumstances, the application could be refused, albeit that is of course a decision for the Planning Committee.
- If permission for the wider allocation was refused, this may have implications in relation to the Housing Infrastructure Fund that had been secured to deliver the roundabout on the A361. The purpose of the funding was to unlock land for the development of housing by providing the infrastructure necessary to enable it to go ahead. To secure the funding, the Council was required to

enter into an agreement with Homes England whereby the Council agree that in exchange for the funding, it will use reasonable endeavours to ensure that the housing comes forward. It was questionable whether the Council would be able to show reasonable endeavours if it was refused planning permission. The remedy available to Homes England should the Council not use its reasonable endeavours was to require repayment from the Council. That would need to come from the Council's own funds as the funding will have already been passed to DCC to deliver the roundabout. A further meeting would be held with Homes England on 3 August 2021.

- The loss of an allocation of this size from the Local Plan would have significant impacts on the delivery of housing and on the Council's ability to regain a 5 year housing land supply during the lifetime of the Local Plan. The lack of a 5 year housing land supply means that key Local Plan policies were considered to be out of date and applications were then judged against national tests of sustainability. In the past, this had resulted in significant applications being submitted for housing on land outside of the Local Plan.
- The Council was at risk of losing credibility with developers who may not be inclined to invest time, effort and funds into bringing allocated sites forward if there was a tendency on the Council to either refuse permission or resist those sites. If that happened, it would make it much less attractive to develop and invest in North Devon.
- If the Council were to approve the application with just the single access off the A361, the effect would be a very large cul de sac with limited vehicle and public transport links to the town. Pedestrian and cycleway links would be possible through the park, subject to member approval, but they could not be delivered by Barwood as it was Progress that owned the land adjoining the Park. The indications were that a bus route, joining up with the town, would not be possible and the lack of a secondary access may also have an impact on major employers in the area who have been requiring a second access/exit from Whiddon Valley to enable their businesses to function properly.
- Loss of opportunity to invest in public open space.
- Officers would continue to look to see how the BAR01 allocation could still be delivered but the challenges as outlined were considerable.
- Regular update reports would be provided to the Committee.

The Committee noted the report.

52. LITTER WORKING GROUP

The Committee considered a report by the Environment Lead and Service Manager, Operational Services (circulated previously) regarding a report of the Litter Working Group.

Councillor Pearson, Environment Lead outlined the following to the Committee:

- The Litter Working Group had agreed to pursue initial actions in the areas as outlined in paragraph 4.3 of the report.
- In order to deter littering behaviour in known hot-spots the group requested the facility to deploy CCTV. This would also require expenditure on moveable signage informing people that CCTV was operating there.

- Funding was requested to support the group's projects such as promotional material to encourage people to do the right thing.
- The group also requested to expedite delegated powers to give others authority such as the Civil Enforcement Officers, Parish Councils and partner organisations to enforce litter and dog waste.

The Director of Resources and Deputy Chief Executive advised that funds could either be identified within the existing waste and recycling budget or the Environmental Initiatives reserve could be used for the group's projects.

In response to questions, the Environment Lead advised the following:

- As part of "Right Bin Right Place", consideration would be given to making bins more visible and advising public of the location of the nearest bin.
- The Council was not currently in the position to provide more recycling bins on the streets.
- No additional officer resources were required as could be accommodated within existing officer resources.

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

- The mapping tool on the Council's website would be reviewed and updated to include the location of bins.
- Early in 2021, the Council had applied for funding for smart bins to be located in rural areas which would have freed up time to enable staff to concentrate on the urban reasons. The application for funding had been refused due to the lack of an appropriate strategy being in place.
- As part of "Right Bin Right Place" the identification of problems and solutions would be different in different areas.
- Further details on the provision of a mobile CCTV camera would need to be obtained and reported back to a future meeting.
- The Service Lead Environmental Protection had advised that the delegation of enforcement powers to Parish Councils and other partners to issue fixed penalty notices was currently being progressed.
- The Policy Development Committee could undertake a strategic review of the litter bin and dog bin strategy. This work could then feed into the work of the group.

Councillor Pearson advised that she had requested that a meeting of the Parish Forum be held to discuss how to improve the cleanliness of the streets within communities.

Councillor Worden advised that the Parish Forum meeting would need to be held following the meeting of the Policy Development Committee.

The Committee noted the report.

53. ADDITIONAL RESTRICTION GRANT AND BUSINESS SUPPORT

The Committee considered a report by the Chief Executive (circulated previously) regarding the Additional Restrictions Grant and business support.

The Chief Executive outlined the following to the Committee:

- The Council had received a total of £3,685,189 from Government to pay in Additional Restrictions Grant. Of that, a total of £3,521,414 had so far been paid to local businesses.
- The Guidance issued by Government allowed authorities to use the funding for business support activities. The Guidance envisaged this to consist mainly of direct grants but stated that it could also be used for wider business support activities.
- North Devon + was the local authority owned company delivering business support within northern Devon. Feedback from the company showed that there was an acute shortage of funded business support schemes at present resulting in the company being approached by many businesses for assistance. North Devon + had drawn up a scheme for delivering business support that could be funded from the Additional Restrictions Grant. The scheme envisaged a contribution of £100,000 from both North Devon Council and Torridge District Council and would be focussed on business support for sectors hardest hit by the pandemic. A similar report would be presented to Torridge District Council.

In response to a question, the Chief Executive advised that feedback would be provided to the Committee on how the fund had been allocated.

Councillors Prowse and Worden declared personal interests as Directors of North Devon +.

In response to a question, the Director of Resources and Deputy Chief Executive advised that the Council had received the final tranche of funding from the Government and were currently processing the last applications for business grants received. Once the applications had been processed, the remaining balance would be known for providing wider business support.

RESOLVED that the use of £100,000 from the Additional Restrictions Grant funding to deliver the business support scheme as set out in Appendix A of the report be approved.

54. NHS DATA OPT-OUT

The Committee considered a report by the Environment Lead (circulated previously) regarding the NHS Data opt-out.

The Environment Lead outlined the following to the Committee:

- NHS Digital was planning to create a central database to hold the complete history of GP records of care. Unless individuals opted out, this data would be automatically transferred.
- This data was owned by individuals.

- There was concern that individuals were not aware of this and how to opt out. Concern was also expressed that the personal data could be shared and it would remove individuals' legal data protections.

RESOLVED that:

(a) the Council write to our MP and ask her not to support NHS Digital's plans for a central GP databank and to oppose any moves to water down our personal privacy protections;

(b) the Council communicate information to the public regarding:

- (i) the 2 levels of opts out of full GP history being uploaded to a central database;
- (ii) other opt outs of NHS data that was available; and
- (ii) the process for opting out and the deadline for the completion.

55. URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

The Committee noted the urgent decisions that had been made by the Chief Executive in accordance with paragraph 3.48, Annex 2, part 3 of the Constitution (circulated previously) regarding the procurement of Devon Wide Area Network links and the adoption of a fees policy for the Licensing of Residential Park Home sites.

Chair

The meeting ended at 11.38 am

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