

NORTH DEVON COUNCIL

Minutes of a meeting of NORTH DEVON COUNCIL held at Crematorium Meeting Room - North Devon Crematorium on Wednesday, 24th November, 2021 at 6.30 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Tucker, Biederman, Bulled, Bushell, Cann, Crabb, Davies, Henderson, Jenkins, Lane, Leaver, Ley, Lofthouse, Mack, Mackie, Orange, Phillips, Prowse, Roome, D. Spear, L. Spear, Topps, Turton, Walker, Wilkinson, Worden and York

Officers:

Chief Executive, Senior Solicitor and Monitoring Officer and Director of Resources and Deputy Chief Executive

64. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Barker, Campbell, Chesters, Davis, Fowler, Gubb, Knight, Lovering, Luggar, Patrinos, Pearson, Saxby, Topham and Yabsley.

65. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 29 SEPTEMBER, 5 AND 20 OCTOBER 2021 (ATTACHED)

RESOLVED that the minutes of the meetings held on 29th September, 5th and 20th October 2021 (circulated previously) be approved as correct records and signed by the Chair.

66. CHAIR'S ANNOUNCEMENTS

The Chair advised that the volunteer award events arranged by the North Devon Voluntary Service had now been held and certificates distributed. The most recent of which had been made to the foodbank volunteers.

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

There were no items of business brought forward by or with the consent of the Chair.

68. REPLIES TO ANY QUESTIONS SUBMITTED BY THE PUBLIC AND/OR TO RECEIVE PETITIONS UNDER PART 4, COUNCIL PROCEDURES RULES, PARAGRAPHS 8 AND 9 OF THE

CONSTITUTION

There were no questions submitted by the Public, or Petitions received under part 4 of the Council Procedure Rules, Paragraph 8 and 9 of the Constitution.

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

(a) To consider the following notice of motion from Councillor Walker.

Councillor Walker presented her notice of motion to Council.

The Chief Executive advised that legislation in relation to school uniforms had received Royal Assent.

The Leader advised that the Authority had funds available to help those in financial need and the public could be signposted to these by the Members.

It was moved by Councillor Walker and seconded by Councillor Cann that the notice of motion be adopted.

Following discussions, Councillor Walker as mover and Councillor Cann as seconder agreed to take on board the addition "shoes" in the notice of motion.

RESOLVED that the Council asks the Government to bring forward legislation, or statutory guidance, to make school uniform, including shoes, affordable for all. We recognise the importance of uniform and the correct wearing of it within schools as a social equaliser, but feel that at the moment any parents are struggling to buy uniform, especially with the effects of the pandemic and the way parents may have had to buy multiple uniform that hasn't been worn much before having to be replaced. We also ask that within the school uniform policy that children are not penalised for minor infringements of uniform policy due to parental hardship or the availability of the correct uniform for that child. We would like to thank all our local schools for providing thrift shops or exchange services within the schools and recognise that these services are invaluable.

(b) To consider the following notice of motion from Councillor Lofthouse.

Councillor Lofthouse presented his notice of motion to Council.

It was moved by Councillor Lofthouse and seconded by Councillor Davies that the notice of motion be adopted.

Councillor Worden requested that paragraphs (A)-(D) of the motion be presented to Government and that paragraphs (E)-(F) be forwarded to the Joint Planning Policy

Committee for consideration in conjunction with the works on the Joint Local Development Plan.

Councillor Lofthouse, as the mover, and Councillor Davies, as the seconder of the motion, took this amendment on board.

RESOLVED that:

(i) The following points be presented to Government;

(A) The government implements the RIBA's proposals as submitted to COP 26 without delay. This includes a requirement for the design councils' guide to better place-making to have priority as a material consideration for planning decisions. As part of new developments public facilities and infrastructure such as schools and health provisions need to be provided as an integral part of the initial construction.

(B) All government inspectors consider a holistic approach with particular regard to the future consequences of climate change in the planning appeals process.

(C) New developments should include processes which will enable properties to have net zero CO2 emissions. Actions to include rainwater harvesting and storage, SUDS to include natural filtration and recycling for use within the development's life, electrical power provision to be renewable with at least 50% being produced on site or within the immediate locality and developments to be provided with the infrastructure to be EV charging ready.

(D) Building regulations include actions to make it mandatory to insulate any new homes or additions to existing homes to a level that meets a maximum energy consumption of $\leq 46\text{kWh/m}^2/\text{YR}$, with a tapering reduction for future homes down to $\leq 25\text{kWhr/m}^2/\text{YR}$ by 2030. (EuroPHitt criteria as an initial minimum).

(ii) That the following be presented to the Joint Planning Policy Committee for consideration in conjunction with the Joint Local Plan:

(A) A training programme be instigated for officers and councillors that are likely to be involved in any form of planning and construction decisions or control, for the understanding and consistent application of the National Design Guide.

(B) To consider the adoption of a Supplementary Planning Document similar to that adopted by the Derbyshire Dales District Council. <https://www.derbyshiredales.gov.uk/your-council/news-andpublications/latest-news/3382-climate-change-supplementary-planningdocument-adopted> .”

(c) To consider the following notice of motion from Councillor Wilkinson.

Councillor Wilkinson presented his notice of motion to Council.

It was moved by Councillor Wilkinson and seconded by Councillor Bushell that the notice of motion be adopted.

The Chief Executive recommended that an addition be included in that a representation be made to South West Water to request their five-year plan to reduce sewerage discharge issues.

Councillor Wilkinson, as the mover, and Councillor Bushell, as the seconder of the motion, took this amendment on board.

RESOLVED that the Council;

- (i) Support the surfers against sewage campaign for an end to sewage discharge into our bathing waters by 2030.
- (ii) Ask our M.P. to support all measures to prevent untreated human waste being released into our waterways.
- (iii) Write to the Secretary of State for Environment, Food and Rural Affairs expressing our concerns about any discharge of raw sewage into North Devon rivers or our beaches
- (iv) Ask the Government to make full use of the existing regulatory powers and restore the Environment Agency budgets in order to deliver the necessary oversight.
- (v) Write to South West Water to request their five-year plan to reduce sewerage discharge issues.

Councillor Lofthouse left the meeting.

(d) To consider the following notice of motion from Councillor Roome.

Councillor Roome presented his notice of motion to Council.

It was moved by Councillor Roome and seconded by Councillor Biederman that it be adopted with the amendment to paragraph (c) of the motion to include “(or with an amended slogan in future if required)” following the words “Live, Love Local”.

RESOLVED that

- (i) Request that NDC officers work closely with local business organisations and smaller enterprises across North Devon to make

them aware of Small Business Saturday and encourage them to be part of it.

(ii) Ensure that Small Business Saturday is promoted thoroughly and prominently on the Council's website, social media channels and other external communications.

(iii) Continue with our year round communications campaign to shop locally under the slogan Live, Love, Local (or with an amended slogan in future if required) which helps to promote local small businesses and encourage residents and visitors to North Devon to buy local produce. Council recognises that buying local produce reduces the carbon footprint and helps in the fight against climate change.

(iv) Look for further ways to increase shopper numbers around Small Business Saturday and in the lead up to Christmas.

(v) Press for a speed up in the provision of superfast broadband in our rural areas.

70. DECLARATIONS OF INTEREST

There were no declarations of interest received.

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

There were no questions received by Members submitted under Part 4, Council and Procedure Rules, Paragraph 10 of the Constitution.

72. REPORT OF THE LEADER OF THE COUNCIL

Council considered and noted a report by the Leader of the Council (circulated previously) regarding work that had been undertaken since the last Council meeting.

The Leader addressed Council and thanked the staff involved in the purchase of the Green Lanes Shopping Centre. He also passed on his appreciation of those staff and Members who had recently attended the funeral of Andrew Austen.

In response to questions from Members, the Chief Executive confirmed that:

- Civil Enforcement Officers did not have the same powers as the Police. Place makers were funded by the Government to provide assistance.
- The board of Northern Devon Futures included staff of both Torridge and North Devon Council, along with representatives of One Northern Devon, Petroc, Local Employers etc. The aim of the Board was to co-ordinate

resources and not replace governance or the Council. It did not affect the decision-making of Council.

73. QUESTIONS BY MEMBERS

There were no questions submitted by Members to the Leader or the Chair of a Committee under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

74. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 2 2021-22

Council considered the Performance and Financial Management report for Quarter 2 of 2021/22 to the Strategy and Resources Committee on 1 November 2021 (circulated previously).

(a) **Report by Policy Development Committee**

Councillor D. Spear, Vice Chair of the Policy Development Committee presented the Committee's report on the Performance and Financial Management for Quarter 2 of 2021/22 (circulated previously).

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

Councillor Worden, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee on the Performance and Financial Management for Quarter 2 of 2021/22 (circulated previously).

It was moved by Councillor Worden and seconded by Councillor Wilkinson "that minute 78 (f) the report of the Strategy and Resources Committee held on 1 November 2021 regarding the Performance and Financial Management for Quarter 2 of 2021/22 be adopted".

RESOLVED that minute 78 (f) the report of the Strategy and Resources Committee held on 1 November 2021 regarding the Performance and Financial Management for Quarter 2 of 2021/22 be adopted.

75. MID YEAR TREASURY MANAGEMENT REPORT 2021-22

Council considered the Mid-Year Treasury Management Report for 2021/22 to the Strategy and Resources Committee on 1 November 2021 (circulated previously).

(a) **Report by Policy Development Committee**

Councillor D Spear, Chair of the Policy Development

Committee presented the Committee's report on the Mid-Year Treasury Management Report 2021/22 (circulated previously).

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

Councillor Worden, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee on the Mid-Year Treasury Management Report 2021/22 (circulated previously).

It was moved by Councillor Worden and seconded by Councillor Walker that "minute 79 of the Strategy and Resources Committee held on 1 November 2021 regarding the Mid-Year Treasury Management Report 2021/22 be adopted"

RESOLVED that minute 79 of the Strategy and Resources Committee held on 1 November 2021 regarding the Mid-Year Treasury Management Report 2021/22 be adopted.

76. APPOINTMENT OF EXTERNAL AUDITORS FROM 2023-24

The Director of Resources and Deputy Chief Executive addressed Council in relation to the Appointment of External Auditors from 2023-24 report (circulated previously).

Councillor Roome, Chair of the Governance Committee reported on the recommendations of the Governance Committee regarding the Appointment of External Auditors from 2023-24 (circulated previously).

It was moved by Councillor Roome, and seconded by Councillor Biederman that the recommendation in report stating "that North Devon Council opted into the national scheme for auditor appointments from April 2023 and the proposal from Public Sector Audit Appointments be formally accepted".

RESOLVED that North Devon Council opted into the national scheme for auditor appointments from April 2023 and the proposal from Public Sector Audit Appointments be formally accepted.

77. REPORT OF LEAD MEMBER FOR CLIMATE CHANGE

The Lead Member for Climate Change was not present to report his update.

It was agreed that an update from the Lead Member for Climate Change would be circulated via email to all Members.

78. REPORT OF LEAD MEMBER FOR THE ENVIRONMENT

Councillor D Spear presented the Report of the Lead Member for the Environment (circulated previously) on behalf of the Lead Member.

Councillor Crabb noted that the report could have contained more practical information and statistics on electric vehicles etc.

RESOLVED that the Report of the Lead Member for the Environment (circulated previously) be noted.

79. MINUTES OF COMMITTEES

(a) **Building Control Joint Committee**

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

(i) 4 November 2021

(b) **Governance Committee**

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

(i) 20 October 2021
(ii) 16 November 2021

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

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

(i) 19 October 2021

(d) **Planning Committee**

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

(i) 13 October 2021

(e) **Policy Development Committee**

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

(i) 18 November 2021

(f) **Strategy and Resources Committee**

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

- (i) 4 October 2021
- (ii) 1 November 2021:
 - a) Minute 81(c.): Approval and Release of Section 106 Public Open Space Funds – Barnstaple, Chulmleigh, Newton Tracey and Witheridge.
 - b) Minutes 82: Gambling Statement of Principles.

Chair

The meeting ended at 8.09 pm

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