

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 4th April, 2022 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

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

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Senior Solicitor and Monitoring Officer, Property Manager, Head of Environmental Enhancement and Head of Place, Property and Regeneration

Also Present in person:

Councillors D. Spear and Tucker

122. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Knight and Patrinos.

123. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 7 MARCH 2022 (ATTACHED).

RESOLVED that the minutes of the meeting held on 7 March 2022 (circulated previously) be approved as a correct record and signed by the Chair.

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

(a) Former Councillor Roy Lucas

The Chair advised the Committee that former District Councillor Roy Lucas who represented the Braunton area for a number of years had sadly passed away. He was also previously Chair of the Council. The Committee remembered him and his family at this sad time.

125. DECLARATIONS OF INTERESTS.

There were no declarations of interest announced.

126. OCEAN RECOVERY

The Committee considered the following notice of motion submitted by Councillor Wilkinson which had been referred to the Strategy and Resources Committee by Council on 23 February 2022:

“This Council declares an urgent need for Ocean Recovery.

We recognise that we need ocean recovery to meet our net zero carbon targets, and we need net zero carbon to recover our ocean.

This Council pledges to:

1. Report to Full Council within twelve months on the actions and projects that will help with an ocean recovery in North Devon.
2. Consider ocean recovery in our strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy), aligning with climate change mitigation and adaptation requirements, and considering ocean-based solutions in our journey towards a carbon neutral and climate resilient future.
3. Ensure that the Local Nature Recovery Strategy strives to support ocean recovery.
4. Work with partners locally to deliver increased sustainability in marine industries and develop a sustainable and equitable blue economy that delivers ocean recovery and local prosperity.
5. Communication through our social media of actions which are being taken to aid ocean recovery progress, signpost ocean literacy development opportunities, and marine citizenship pledges.
6. Write to the Government asking them to put the ocean into net recovery by 2030 by
 - a) Ensuring Inshore Fisheries and Conservation Authorities and Natural England have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.
 - b) Ensuring coastal communities have a meaningful say in the development of marine policy to ensure it delivers equitable and sustainable outcomes.
 - c) Appoint a dedicated Minister for Coastal Communities.

- d) And by listening to marine scientific advice, including marine social science, to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:
- i. Enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.
 - ii. Consider levelling up, marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
 - iii. Develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
 - iv. Establish improved processes for understanding the benefits of ocean recovery, leaving no doubt the links between this and human lives, livelihoods, and wellbeing.
 - v. Stop plastic pollution at source by strengthening the regulations around single-use plastics and set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.”

Councillor Wilkinson presented the notice of motion to the Committee and explained that he had submitted the motion as a result of work of the Local Government Association Coastal Issues Group which he was appointed to represent the Council. The motion had been presented to all Local Authorities located along the coast in England and had been drawn up by two marine biologists. He explained the reasons for the submission of the motion to Council. He advised that if the motion was approved that regular updates should be provided on progress made.

Councillor Worden and the Chief Executive suggested some amendments to be made to the motion.

RESOLVED that this Council declares an urgent need for Ocean Recovery and recognise that we need ocean recovery to meet our net zero carbon targets, and we need net zero carbon to recover our ocean and that:

- (a) This Council pledges to:
- (i) Work with partners such as Surfers Against Sewage, Plastic Free North Devon and North Devon Biosphere to provide a report to Full Council within twelve months on the actions and projects that will help with an ocean recovery in North Devon.

- (ii) Consider ocean recovery where appropriate in our strategic decisions, plans, budgets and approaches to decisions by the Council (particularly in planning, regeneration, skills and economic policy), aligning with climate change mitigation and adaptation requirements, and considering ocean-based solutions in our journey towards a carbon neutral and climate resilient future.
- (iii) Make representatives to Devon County Council to ensure that the Local Nature Recovery Strategy strives to support ocean recovery.
- (iv) Work with partners locally to deliver increased sustainability in marine industries and develop a sustainable and equitable blue economy that delivers ocean recovery and local prosperity.
- (v) Communication through our social media of actions which are being taken to aid ocean recovery progress, signpost ocean literacy development opportunities, and marine citizenship pledges.
- (vi) Write to the Government asking them to put the ocean into net recovery by 2030 by:
 - a. Ensuring Inshore Fisheries and Conservation Authorities and Natural England have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.
 - b. Ensuring coastal communities have a meaningful say in the development of marine policy to ensure it delivers equitable and sustainable outcomes.
 - c. Appoint a dedicated Minister for Coastal Communities.
 - d. And by listening to marine scientific advice, including marine social science, to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:
 - i. Enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.
 - ii. Consider levelling up, marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
 - iii. Develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
 - iv. Establish improved processes for understanding the benefits

of ocean recovery, leaving no doubt the links between this and human lives, livelihoods, and wellbeing.

v. Stop plastic pollution at source by strengthening the regulations around single-use plastics and set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.

Councillor Wilkinson advised the Committee that it had been announced today that North Devon had become the first place in the UK to be selected as a World Surfing Reserve. North Devon was the 12th World Surfing Reserve in the UK and only the second in the whole of Europe which was a remarkable achievement and recognised the environment. It would also have benefits for tourism.

127. RE-INSTATEMENT OF BIDEFORD TO BARNSTAPLE RAIL LINK

Councillor Lane declared a personal interest as he and his wife were users of the Tarka Trail.

The Committee considered the following notice of motion submitted by Councillor Lofthouse which had been referred to the Strategy and Resources Committee by Council on 23 February 2022:

“Motion to support the re-instatement of Bideford to Barnstaple rail link for passenger and other services, as proposed by ACE Rail.

This Council agrees to:

- 1) Include this policy aim within the revised joint local plan.
- 2) Work with partners and organisations to support and develop this idea and to lobby those who may contribute to making this happen including Great British Railways, Devon County Council, Peninsula Transport, and the Government.
- 3) Invite Councillor Tim Steer to a future Full Council meeting to give a presentation of what is currently being proposed by ACE Rail.”

The Committee received a presentation by Councillor Tim Steer, Director of Bideford Railway Heritage Centre and ACE Rail Lead regarding the proposed re-instatement of Bideford to Barnstaple rail link for passenger and other services and the reasons for the proposed re-instatement. He outlined the proposed starting points and next steps which included part funding an independent specialist adviser to prepare a prospectus for ACE rail as a basis for an initial business case which would cost £12,000 and suggested that North Devon Council and Torridge District Council be requested to contribute £3,500 each towards the appointment of an independent specialist adviser.

Councillor Lofthouse presented the motion to the Committee and outlined the reasons for the submission of the notice of motion.

In response to a question, the Director of Resources advised that the suggested contribution of £3,500 towards the appointment of an independent specialist adviser had not been included within the revenue budget for 2022/23. There was an Environmental Initiatives earmarked reserve which could be considered. Officers would also need to explore whether there were any external funding opportunities available.

RESOLVED that motion to support the re-instatement of Bideford to Barnstaple rail link for passenger and other services, as proposed by ACE Rail be supported and the Council agrees:

- (a) That the inclusion of this policy aim within the revised joint local plan be referred to the Joint Planning Policy Committee for consideration;
- (b) To work with partners and organisations to explore this idea and where necessary to lobby those who may contribute to making this happen including Great British Railways, Devon County Council, Peninsula Transport, and the Government.

**128. DISCRETIONARY BUSINESS RATES RELIEF/COVID 19
ADDITIONAL RELIEF FUND**

The Committee considered a report by the Head of Customer Focus (circulated previously) regarding Discretionary Business Rates Relief and Covid 19 Additional Relief Fund.

The Director Resources highlighted the following:

- On 25 March 2021, the Government announced plans to provide an additional business rates support package, worth £1.5 billion, to support businesses in England affected by COVID-19 but not eligible for existing support linked to business rates.
- North Devon Council had been awarded £1,812,522 from the £1.5 billion funding.
- The Council was required to determine its own scheme for the administration of Covid 19 Additional Relief Fund and the Department for Levelling Up, Housing and Communities had stated that, in order for the Council to receive the allocated funding it must adhere to certain criteria as outlined in paragraph 4.1 of the report. The policy for the granting of this funding was detailed in Appendix C to this report.
- Modelling showed that the Council would be left with around 10% of our allocated budget to be used as a contingency fund to help those businesses, on a case by case basis, who can demonstrate that they have been adversely affect by COVID-19 despite being in the list of excluded businesses in Appendix D.
- For those businesses who had paid their business rates for 2021/22, a credit would be rolled forward to 2022/23 year. Those businesses that had already paid their business rates for 2022/22 would be entitled to a rebate.

RESOLVED that the policy for the granting of COVID-19 Additional Relief Fund be adopted.

129. LYNBRIDGE CAR PARK, LYNTON

The Committee considered a report by the Head of Place, Property and Regeneration (circulated previously) regarding Lynbridge car park at Lynton.

The Head of Place, Property and Regeneration highlighted the following:

- The car park was owned by North Devon Council but managed by Lynton and Lynmouth Town Council as part of an Agency agreement between the two Councils.
- The car park provided 10 car parking spaces, which were let annually to local residents as part of a permit scheme. These cost £200 per annum and generated £2000 income to the Council each year.
- A structural survey had been commissioned and found the car park to be unsafe. It advised that the elevated section of the car park should not be used until such time as investigations have established the adequacy of the concrete deck and that appropriate vehicle barriers have been installed.
- As a result the car park was closed on Monday 14 February 2022 for severe health and safety reasons. The condition of the surface, edge protection and the structure itself required investigation to establish the integrity of the car park. Permit holders and local members were advised that such investigations would take time and that we could not give any indication of the timescales involved or the likely outcome of these inspections. The closure was publicised in a press release and shared on social media.
- Photographs of the car park were detailed on pages 93 and 94 of the report.
- The car park was built in approximately 1952 and a structural survey had been commissioned ten years ago. Unfortunately, a copy of that report was not available but it concluded that remedial works involving the installation of new internal columns, beams and bracing members were required. It was noted that the perimeter columns along the rear of the car park were retained and have been painted with anti-corrosive paint. The new internal steel columns have been positioned against the existing columns and were supported on top of the original footings which were founded into the underlying rock formation. The bases of the perimeter columns were now encased with a new concrete plinth laid over the top of the existing footings.
- The more recent report inspected all areas which could be viewed at ground level and from accessible areas. Those parts of the structure which were concealed such as the car park deck, encased steel beams or the foundations were not inspected unless the report identified otherwise. The report made a number of recommendations as detailed in paragraph 4.5 of the report. Recommendations (1) and (7) were highlighted.
- Following the closure, officers sought a quote for additional investigative works to inform our decision making. The conclusion was detailed in paragraph 4.7 of the report.
- A further quote was then sought for additional investigation works. This came back at £46,000.
- Given the cost of these investigative works, officers considered it necessary to prepare an internal report to understand our options for this structure. The

Senior Engineer had now completed this initial assessment and concluded that there were 4 options as detailed in paragraph 4.9 of the report.

- The structure was 70 years old and situated in a coastal environment. Visual inspections have proven that elements of it were in poor condition and potentially in stages of failure, and it would continue to deteriorate without intervention. The structural engineer had also reported that in addition to the structural issues, there was some undermining of the deck that would also need attention going forward.
- Officers were aware of social media concerns that the car park had not been suitably maintained. Works were carried out in 2010 to try to preserve the structure, but with any structure of this nature it had an economic and structural life. The structure itself was made up of various components, all of which must work together to maintain the structural integrity. There were now issues with each of these elements.
- The costs of the investigative works alone were significant before the cost of any mitigation works on a structure that was of an age that could be considered end of life could be understood.
- Whilst the loss of parking for residents was regrettable, the cost of replacing the structure, estimated at £500,000 was significant and the cost of providing this facility for these residents which only generated an annual income to the Council of £2,000 per annum had to be balanced against the wider impact that this would have on the Council's financial position. The borrowing costs alone for the investment, over a 50-year period would cost the Council £22,000 per year and therefore unfortunately was not a viable investment proposal.
- In the first instance, option 4 could be explored and identify whether either the Town Council or community would wish to take on the land, in the knowledge of the associated risk.
- If there was no interest in the land from either the Town Council or local residents then given the age of the structure, its state of repair and the cost of investigative works/replacement of the structure, officers considered that option 2 should be progressed and the structure removed.

In response to a question, the Director of Resources advised that any revenue surplus from the Agency Agreement between the Council and Lynton and Lynmouth Town Council came back to North Devon Council and that any repairs required to be made to assets were the responsibility of North Devon Council.

RESOLVED that the Council proceed with option 4 and offer the land to the Town Council or community, disclosing the concerns with the structure and that if after a 6 month period it was clear that there was no interest in the land that a report be brought back to the Committee for consideration.

130. SUPPORT FOR ENERGY BILLS - COUNCIL TAX REBATE

The Committee considered a report by the Head of Customer Focus (circulated previously) regarding support for energy bills Council Tax rebate.

The Director Resources highlighted the following:

- On 3 February 2022, the Government announced measures to help millions of households from rising energy costs. These measures included a £150 council tax energy rebate. The Government was providing funding for billing authorities to give all households in England whose primary residence was valued in council tax bands A-D a one off council tax energy rebate payment of £150. Excluded from this were properties such as second and empty homes.
- The Government would also provide funding for billing authorities to operate a separate discretionary fund for households in need who would not otherwise be eligible. These could include for example individuals on low incomes who live in properties valued in bands E-H.
- North Devon Council had been allocated total funding of £5,847,750 which included £192,000 for the discretionary fund and £5,655,750 for the main scheme fund.
- Each household who paid their council tax by direct debit would receive their payment directly into their bank account where bank account details match the details of the liable parties. This payment would be made after the first April direct payment had been made to the Council. Around 80% paid their Council Tax via direct debit.
- For customers who did not pay by direct debit or whose direct debit bank account details did not match the liable party (i.e where council tax was paid by a third party) it was intended to run an application process.
- The Government had made it very clear that these payments were intended to assist households to pay their energy bills and that every effort should be made to make a payment however, as a last resort the option could be made to non-direct-debit payers of crediting their council tax account.
- A leaflet had been included within Council Tax bills as appended to the report.
- The Council was working with other Devon Local Authorities on the discretionary scheme.
- The Council would receive some funding from Government to cover administrative costs. This amount had not yet been confirmed.

Councillor Crabb arrived.

In response to questions, the Director of Resources advised the following:

- If all administrative funds were not utilised then there was potential that it could be used towards the overall revenue budget pressure and offset additional energy costs incurred by the Council.
- For those Council Tax payers who did not pay by direct debit, they would be required to complete a short form to provide their Bank and Council Tax reference details. The Council would contact all customers affected who had not already applied through the process. A press release would be issued and social media posts would be made to make these customers aware.

The Committee thanked the Director of Resources and his team for their hard work in administering all Government grants.

RESOLVED that:

- (a) the contents of the report be noted;
- (b) it be noted that the details of the separate discretionary scheme would follow at the next scheduled Strategy and Resources Committee in May 2022.

131. HOMES FOR UKRAINE

The Chief Executive provided the Committee with an update on Homes for Ukraine.

He advised the following:

- The Council was stepping up its response, alongside key partners, to the Homes for Ukraine scheme. This was now 'live', enabling local sponsors to match with guests from Ukraine.
- All Devon Local Authorities were working together to develop a rapid and co-ordinated response. Devon County Council had now published a dedicated webpage which went live last week to provide information for sponsors, Councils and the public.
- The Council's main role would be to assess the sponsor's accommodation and suitability prior to the match of guests and sponsors being made. The Council would also need to make the sponsor fully aware of the commitment. The Council would then be required to undertake a further inspection 2 weeks after the placement and again at 5 months.
- The DBS checks would be undertaken by Devon County Council.
- There was a risk to the Council that if the placement was not successful, Ukrainian refugees could present themselves to the Council as being homeless and requiring emergency accommodation.
- The Council was working in partnership with local partners such as Pickwell Foundation and Sunrise to ensure support arrangements were put in place and refugees had a day to day contact. Pickwell Foundation had previously provided support to Syrian and Afghanistan refugees.
- Sponsors would receive £350 per month for a maximum of 12 months. The Council would receive £10,000 per refugee family to cover costs of inspection and support provided.
- Devon County Council had advised that 17 sponsors had registered, however there had been no confirmation of dates for arrival of the refugees.
- The Council was in the process of ensuring that officers were prepared and ready to undertake inspections of sponsors when required. There was a need to ensure that both the sponsor and property were appropriate. Nationally safeguarding issues had been highlighted and there was a need to consider these issues as part of the inspections.
- Further updates would be sent to Councillors as appropriate.

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

- That DBS checks needed to be undertaken to make sure that there were no issues and were required even if the landlord did not live at the property.
- The placements were for a minimum of 6 months, however it could be extended to up to 3 years.

132. LITTER BIN STRATEGY UPDATE

The Environment Lead provided the following update on the Litter Bin strategy:

- Links had been established with Petroc college and there were plans to also engage with schools.
- Consideration was being given to the creation of a litter specific webpage.
- The Litter Bin audit was currently being updated. The current information was not up to date and Parish Councils were being invited to check the location and condition of bins within their parish. It was anticipated that a new form would be created for parishes to request new litter bins in the future.
- A spreadsheet containing a list of bins within all parishes would be circulated to Councillors for information.

133. URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

The Committee noted the urgent decision that had been taken by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (circulated previously) regarding Ilfracombe Harbour and Victoria Pleasure grounds.

134. EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS

RESOLVED:

(a) That under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involved the likely disclosure of exempt information as defined in Paragraph 3, Part 1 Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information); and

(b) That all documents and reports relating to the item be confirmed as “Not for Publication”.

135. ILFRACOMBE SEAFRONT - THE MUSEUM AND GOLDEN COAST SITE

The Committee considered a report by the Property Manager (circulated previously) regarding the Ilfracombe Seafront, the Museum and Golden Coasts sites.

The Property Manager outlined the key issues in connection with the Ilfracombe Seafront, the Museum and Golden Coast sites and answered questions from the Committee in relation to the same.

The Chief Executive reported the receipt of the Levelling Up Round 2 prospectus following the publication of the agenda. For Round 1 of the Fund, the Council submitted a bid in relation to the Ilfracombe Seafront Masterplan. Council at its meeting on 6 April 2022 would be requested to take a decision on what should be included within the Round 2. The deadline for Round 2 bid was 6 July 2022.

RESOLVED that:

- (a) the lease to the Trustees of Ilfracombe Museum not be renewed if the flood risk was still in place at the time the S25 Hostile Notice could be served, 12 to 6 months before the lease expiry date of 25th December 2025. Under the Landlord and Tenant Act 1954 Pt II, the notice could be served on the grounds of redevelopment or landlord's occupation of the premises;
- (b) the Property Manager be instructed to formally advise the Trustees of the Ilfracombe Museum of the flood risk, their responsibilities and that NDC, due to the existing flood risk, would not be in a position to extend or renew the lease of their present building and they should seek to find an alternative;
- (c) the Trustees of the Museum aspirations to relocate to the site at the base of Capstone not be agreed as no business case had been submitted;
- (d) the Council work jointly with the owner of the Golden Coast site to develop a scheme providing a quality mixed use development incorporating flood prevention measures.

Chair

The meeting ended at 12.03 pm

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