

NORTH DEVON COUNCIL

Minutes of a meeting of Council held at Crematorium Meeting Room - North Devon Crematorium on Wednesday, 20th July, 2022 at 6.30 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Barker, Biederman, Campbell, Chesters, Davis, Davies, Fowler, Gubb, Jenkins, Lane, Leaver, Lofthouse, Lovering, Mack, Mackie, Orange, Pearson, Prowse, Roome, D. Spear, L. Spear, Tucker, Topham, Topps, Turton, Walker, Wilkinson, Worden, Yabsley and York

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Senior Solicitor and Monitoring Officer and Service Lead Housing Advice and Homelessness

11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bulled, Bushell, Cann, Henderson, Knight, Ley, Luggar, Patrinos, Phillips and Saxby.

12. TO APPROVE AS CORRECT RECORDS THE MINUTES OF THE MEETINGS HELD ON 6 APRIL 2022 (ATTACHED)

RESOLVED that the minutes of the meetings held on 6 April 2022 (circulated previously) be approved as correct records and signed by the Chair.

13. CHAIR'S ANNOUNCEMENTS

- (a) Former Councillors Reg Cane and Sue Croft and former Council employee Michael Tichford

Council stood for a minute silence in memory of former Councillors Reg Cane and Sue Croft and former Council employee Michael Tichford who had recently passed away.

The Chair advised that condolence cards would be sent to the families of Michael Tichford and former Councillor Sue Croft on behalf of the Council if any Member wished to sign.

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

- (a) Chairs functions

The Chair provided an update to Council on the events that she had attended in her capacity as Chair of the Council and Councillor Tucker had attended in her absence since the last meeting of Council.

15. 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 and/or to receive Petitions under Part 4, Council Procedure Rules, Paragraphs 8 and 9 of the Constitution.

16. 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 Topham

Councillor Topham presented her notice of motion to Council.

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

Following Council debate, Councillor Topham as mover and Councillor Walker as seconder of the motion amended the motion to also include “that benefits training be provided for all Councillors to enable Councillors to signpost ward constituents appropriately and that the types of support available be considered by the Policy Development Committee.”

RESOLVED that this Council therefore declares a ‘Cost of Living Emergency’ and:

(a) instructs the Leader of the Council to write to the Chancellor of the Exchequer to:

1. Welcome the imposition of the ‘Windfall Tax’ on the super profits of oil and gas companies and question whether this has gone far enough.
2. Immediately reduce the standard rate of VAT from 20% to 17.5% for at least one year, saving the average family £600.
3. Introduce a fuel rebate scheme for rural areas like North Devon with, for example, extending the discount scheme for rural garages which has been successful at Lynton (Barbrook).
4. Extend free school meals to all those families on universal credit.
5. Extend the cost of living payment of £650 to those on legacy and contributions based benefits as people on these benefits have higher costs of living already due to long term health conditions or disability.

- (b) that benefits training be provided for all Councillors to enable Councillors to signpost ward constituents appropriately and that the types of support available be considered by the Policy Development Committee.

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

Councillors Biederman, Davis, Leaver, Roome and Yabsley declared personal interests as Devon County Councillors.

Councillor Walker presented her notice of motion to Council.

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

RESOLVED this Council:

- (a) asks that Devon County Council (DCC) as the Highways Authority to make a Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984 to prohibit pavement parking throughout North Devon, allowing Exemptions in specific places where pavement parking is necessary;
- (b) also asks that DCC Civil enforcement officers are used to enforce the TRO, which should be a self funding option; and
- (c) also asks for the support of the MP for North Devon in this matter, in supporting the council in this motion.

17. DECLARATIONS OF INTEREST

The following declarations of interest were announced:

Councillor Hunt: Item 19 (c) – personal interest as a trustee of the Bridge Trust

Councillor Prowse: Item 19 (c) – personal interest as a trustee of the Bridge Trust

Councillor Lofthouse: Item 19 (c) – personal interest as a trustee of the Bridge Trust

18. 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 Procedure Rules, Paragraph 10 of the Constitution.

19. 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.

Councillor Worden advised of a typographical error in the report and it should have referred to “Eddie “the Eagle” **Edwards**”.

In response to a question, the Leader advised that the costs for the Yelland planning appeal had not yet been confirmed.

The Chief Executive advised that the claim for costs had not yet been received and that Members would be notified when the costs were known. There were time limits for when the claim for costs could be made and that as the costs were likely to be high, a report would be presented to Members. The Council's element of costs for the appeal were approximately £75,000.

20. QUESTIONS BY MEMBERS

The following questions were submitted in advance of the meeting and responses provided by the Leader were circulated separately:

- (a) Question for the Leader from Councillor Lane "With the difficulty of recruiting staff to the planning Department, can you confirm that the pay scale in other authority areas are similar to that being offered by this authority for staff of the same pay scale planning experience?" Councillor Worden, Leader's response "Most local authorities are having very real difficulties recruiting staff to different areas and professions. The most well publicised example has been HGV drivers but it also affects many other areas including housing, environmental health and planning. The salaries paid to officers working within the council are settled by evaluating the posts against other posts of equal complexity, skill or hardship. This is to ensure that good practice is followed around equal pay. It is probably fair to say that when comparing pay within the council to pay at other authorities, the position varies depending on which profession or post is being compared against with councils." In response to a supplementary question, the Chief Executive advised that all posts were evaluated and benchmarked. Compared to other Councils, some positions were paid higher and some were paid lower. The grading of Planning Officers salaries differed across Councils as some allocated different responsibilities and therefore it would not be possible to compare "like for like". There was currently a national shortage of planning officers. The Council had met with the RTPI and asked them to promote that working for local authorities was a good career choice. Similar comments had also been made to the Local Government Association. If Members wished to see the comparisons, this information could be provided, however Members could not be involved in the evaluation process.
- (b) Question for the Leader from Councillor Pearson "Could we please have an update on the replacement of incandescent bulbs with LEDs, and the plans for installing solar panels on NDC property to help offset increasing energy costs and give security of energy supply?" Councillor Worden, Leader's response "In relation to LED lighting, the capital bid to progress this is on the Full Council agenda for approval as part of the Quarter 4 performance report. Once approved, the project will progress. In relation to PV panels, we are currently assessing all of the council buildings for suitability for installation and will then be examining the best approach to funding for installation."

21. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 4 OF 2021/22

Council considered the Performance and Financial Management report for Quarter 4 of 2021/22 to the Strategy and Resources Committee on 4 July 2022 (circulated previously).

(a) **Report of the Policy Development Committee**

Councillor D. Spear, Chair of the Policy Development Committee presented the Committee's report on the Performance and Financial Management for Quarter 4 of 2021/22 to the Policy Development Committee on 14 July 2022 (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 4 of 2021/22 (circulated previously).

It was moved by Councillor Worden and seconded by Councillor Roome "that minute 29(f) of the report of the Strategy and Resources Committee held on 4 July 2022 regarding the Performance and Financial Management for Quarter 4 of 2021/22 be adopted."

Councillor Worden thanked the Director of Resources and his team for their hard work in achieving a budget surplus.

RESOLVED that minute 29(f) of the report of the Strategy and Resources Committee held on 4 July 2022 regarding the Performance and Financial Management for Quarter 4 of 2021/22 be adopted.

Councillor Prowse left the meeting.

22. ANNUAL TREASURY MANAGEMENT REPORT 2021/22

Council considered the Annual Treasury Management report for 2021/22 to the Strategy and Resources Committee on 4 July 2022 (circulated previously).

(a) **Report of the Policy Development Committee**

Councillor D. Spear, Chair of the Policy Development Committee presented the Committee's report on the Annual Treasury management report for 2021/22 to the Policy Development Committee on 14 July 2022 (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 Annual Treasury management report for 2021/22 (circulated previously).

It was moved by Councillor Worden and seconded by Councillor York “that minute 30 of the report of the Strategy and Resources Committee held on 4 July 2022 regarding the Annual Treasury Management report for 2021/22 be adopted.”

RESOLVED that minute 30 of the report of the Strategy and Resources Committee held on 4 July 2022 regarding the Annual Treasury Management report for 2021/22 be adopted.

23. AFGHAN RE-SETTLEMENT SCHEME/AFGHAN POLICY

Council considered a report by the Service Lead, Housing Options and Homelessness (circulated previously) regarding the Afghan Re-settlement Scheme/Afghan Policy.

In response to questions, the Service Lead, Housing Options and Homelessness advised the following:

- A report had been recently issued where families can find their own accommodation. If an Afghan secured their own accommodation in the North Devon Council area, the Council would still receive funding and would be required to provide support.
- South West Councils had agreed the policy of selecting families alphabetically as it was considered to be fair.
- The provision of accommodation was not being enforced on the Council, however in accordance with the schemes the Council would be required to provide accommodation. The Home Office was requesting that all Councils sign up to the scheme.
- The Council had currently 364 active housing cases and 64 families using units of temporary accommodation.
- The Government had only currently confirmed funding for Councils for the first 12 months. Councils were being advised that if there was an impact on temporary accommodation that funding could be applied for through Devon County Council.
- The Council had secured a number of self-contained units for temporary accommodation which needed to be retained for temporary accommodation. The Council tried to find alternative accommodation where possible as it understood the impact that this could have on local communities. However, there was less impact on families requiring temporary accommodation compared to staying in Bed and Breakfast accommodation. Temporary accommodation was not long term. There was currently a lack of accommodation for larger families. The Council could not disclose information regarding families staying in temporary accommodation.

In response to questions, the Chief Executive advised the following

- That the number of second homes and holiday homes in North Devon was now approximately 3,500. The Council along with other Councils were currently lobby Government in relation to the loss of homes for rent to second homes and holiday homes. The Council had lost 467 properties from the rental market over the past 12 months to the holiday market. Officers were due to meet with the Housing Minister tomorrow, which had been cancelled due to the changes in Government. Once the new Government was in place, the Council would continue to lobby.

In response to questions, the Service Lead, Housing Options and Homelessness outlined the potential risks in relation to the Afghan Re-settlement Scheme/Afghan Policy:

- The Council did not have sufficient number of temporary accommodation currently.
- Officers were working hard to prevent households from becoming homeless and to keep them in their homes.
- The Council only had a small housing team and were lobbying the Government for additional resources to assist with the Afghan Re-settlement Scheme/Afghan Policy.
- Local Authorities were shouldering the risk of national immigration.

Councillor Davis left the meeting.

It was moved by Councillor Worden and seconded by Councillor Lofthouse “that the recommendation be adopted and that the Council express that it was not happy with the situation it was facing due to the current housing crisis facing North Devon owing to the high number of AirBnB and holiday homes and the pressure it was putting on the Council’s housing team.”

RESOLVED that:

- (a) 4 units be leased out initially to be monitored over a period of 6/12 months and then if agreed a further 4 further units to be leased dependent on availability;
- (b) the Council express that it was not happy with the situation it was facing due to the current housing crisis facing North Devon owing to the high number of AirBnB and holiday homes and the pressure it was putting on the Council’s housing team.

Councillor Biederman left the meeting.

24. HOMES FOR UKRAINE UPDATE

Council considered a report by the Service Lead Housing Options and Homelessness (circulated previously) regarding the Homes for Ukraine update.

It was moved by Councillor Worden and seconded by Councillor Lofthouse “that the recommendation be adopted and that the Service Lead Housing Options and Homelessness and her team be congratulated for all their hard work and that Pickwell Foundation also be thanked for their support which was appreciated.”

RESOLVED that:

- (a) the potential impact the continuing rise in numbers could have on NDC services be noted;
- (b) the Service Lead Housing Options and Homelessness and her team be congratulated for all their hard work; and
- (c) Pickwell Foundation also be thanked for their support which was appreciated.

Councillor Walker declared a personal interest as a host of a Ukrainian family.

25. UK SHARED PROSPERITY FUND

Council considered a report by the Director of Resources and Deputy Chief Executive (circulated previously) regarding the UK Shared Prosperity Fund.

Councillor Worden declared a personal interest as a member of the North Devon+ board.

It was moved by Councillor Tucker and seconded by Councillor Roome “that the recommendation be adopted.”

RESOLVED that the intervention themes proposed by the Northern Devon Futures Board, serving as the required Local Partnership Group for inclusion in the UK Shared Prosperity Fund investment plan for North Devon Council to be submitted before 1 August 2022 be approved.

26. OCEAN RECOVERY MOTION

Council noted the letter received from Rebecca Pow MP, Department for Environment Food and Rural Affairs (circulated previously) in response to the decision taken by the Strategy and Resources Committee meeting held on 4 April 2022 and minute 104 (a) of the meeting of Council held on 23 February 2022 in relation to the Ocean Recovery motion.

27. CONSTITUTION UPDATE

Council considered a report by the Senior Solicitor and Monitoring Officer (circulated previously) presented to the Governance Committee on 14 June 2022.

Councillor Roome, Chair of the Governance Committee presented the recommendation of the Governance Committee held on 14 June 2022 (circulated previously) to Council.

It was moved by Councillor Roome and seconded by Councillor Leaver “that minute 8 of the Governance Committee held on 14 June 2022 regarding the Constitution Update be adopted.”

RESOLVED that minute 8 of the Governance Committee held on 14 June 2022 regarding the Constitution Update be adopted.

Councillor Chesters left the meeting.

28. OUTSIDE BODY APPOINTMENTS

(a) **Devon Rail Forum**

RESOLVED that Councillor York be appointed to the Devon Rail Forum for the life of Council following the resignation of Councillor Mack from the Forum.

(b) **PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee**

RESOLVED that Councillor Walker be appointed to PATROL (Parking and Traffic Regulations Order Outside London) Adjudication Joint Committee for the life of Council.

(c) **Bridge Trust**

RESOLVED that Councillor Tucker be nominated to be appointed as a Trustee to serve on the Bridge Trustee Board following the resignation of Councillor Biederman from the Board.

29. LICENSING AND COMMUNITY SAFETY COMMITTEE - APPOINTMENT OF A MEMBER

RESOLVED that Councillor Walker be appointed to the Licensing and Community Safety Committee for the 2022/23 municipal year following the resignation of Councillor Orange from the Committee.

30. REPORT OF LEAD MEMBER FOR CLIMATE CHANGE

Council considered and noted an update report by the Lead Member for Climate Change (circulated previously).

The Director of Resources and Deputy Chief Executive advised that following the approval of the capital business cases as part of the Quarter 4 Performance and Financial Management report, that the business case for changing to low energy lighting and fittings had been approved at a capital cost of £80,000, which it was estimated would save the Council £30,000 per annum in revenue energy costs.

31. 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) 12 May 2022

(b) **Governance Committee**

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

(i) 14 June 2022

(c) **Harbour Board**

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

(i) 3 May 2022

a. Minute 7: Appointment of Independent Representative to the Harbour Board

(d) **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) 12 April 2022

(A) Minute 4: Hackney Carriage and Private Hire Policy Amendments (NOTE: It was noted that this recommendation had incorporated within the Constitution Amendments under item 17 on the agenda)

(ii) 27 April 2022

(iii) 12 May 2022

(iv) 14 June 2022

(e) **Planning Committee**

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

(i) 13 April 2022

(ii) 25 April 2022

(iii) 11 May 2022

(iv) 25 May 2022

(v) 8 June 2022

(vi) 27 June 2022

(f) **Policy Development Committee**

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

adopted as follows:

(i) 14 July 2022

(g) **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 April 2022

(ii) 9 May 2022

(iii) 6 June 2022

a. Minute 15 (d): Gap Funding 21 Social Rents at Woolacombe

(iv) 4 July 2022

a. Minute 31 (b): New Woodland at Frankmarsh, Barnstaple

b. Minute 37 (e): Approval and Release of S106 Public Open Space Funds – Barnstaple and Chulmleigh

Chair

The meeting ended at 8.40 pm

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