

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 5th September, 2022 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

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

Officers:

Chief Executive, Director of Resources and Deputy Chief Executive, Senior Solicitor and Monitoring Officer, Head of Environmental Enhancement, Head of Planning, Housing and Health, Public Protection Manager, Graduate Environmental Health Officer, Finance Manager, Senior Enforcement Officer, Sustainability and Climate Officer and Head of Customer Focus

42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lane.

43. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 4 JULY 2022

RESOLVED that the minutes of the meeting held on 4 July 2022 (circulated previously) be approved as a correct record and signed by the Chair.

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

Councillor Wilkinson put forward the request of whether a notice of motion, which was passed at November 2021's Council meeting, could be reinforced in terms of the points agreed. He referred to a radio interview where a visitor from Plymouth to Croyde beach left soon after entering the water over concerns of brown effluent in the water.

The Chair advised the Committee that a Team Devon meeting was taking place this week where the item would be discussed with a view to have a letter written

by Team Devon to South West Water outlining the concerns raised over the water quality around the Devon coasts.

45. DECLARATIONS OF INTERESTS.

No declarations of interest were made.

46. CALL FOR EVIDENCE - SHORT TERM HOLIDAY LETS

The Committee considered a report by the Chief Executive (circulated previously) regarding Call from Evidence – Short Term Holiday Lets.

The Chief Executive highlighted the following to the Committee:

- The Department for Culture, Music and Sport (DCMS) had sent out a call for evidence in respect of the issue of short-term holiday lets.
- The issue of properties being given over to short-term holiday lets had been an area of concern in the district for some time but with a significant increase in the last three years more councils including MPs had started to raise concerns.
- The DCMS request had gone out to all concerned with the holiday trade; including Airbnb hosts, Local Authorities and residents.
- Question 1 was asking for information on how the situation had changed over time. It was difficult to obtain an accurate picture of the numbers of properties being used as holiday lets, as the only recourse to information available was the Council's Business rates and Council tax databases. If a property was not registered for business rates the Council would have no way of knowing about it.
- In 2019 1,375 properties were operating as holiday lets under business rates, this had increased by 435 to 1,810 by 2022.
- Question 6 dealt with the perceived affect increases in holiday lets were having on the housing market. The answer to this included many factors such as an increase in people moving to the area and low salaries, as well as Landlords serving section 21 eviction notices, to rent out the property as a holiday let, had increased from 36 in 2020-21 to 103 in 2021-22.
- The concern was that there was becoming a lack of community cohesion in areas with high numbers of holiday-let properties. The number of holiday lets in certain Parishes was shown in the table on page 38 of the report.
- The average house price had increased from £246,147 in August 2019 to £321,346 in July 2022.
- The average rental cost for a three-bedroom property, in August 2019, rose from £735 per calendar month to £775 per calendar month in August 2022.
- Question 7 asked about Anti-social behaviour being an issue with holiday lets. The information presented in the report came from actual people who had suffered as a result of living near holiday lets.
- Question 8 dealt with any other issues causing adverse impacts on residents as a result of holiday lets. Staff recruitment was an issue for local businesses where holiday lets were prevalent. Either through lack of housing available in the vicinity of a job offer due to cost or unavailability as a result of holiday lets, job posts were remaining vacant.

- The Council would like to see a licensing scheme in operation to help regulate holiday lets and also in conjunction with this have a link to planning whereby a change of use application has to be submitted before a holiday let can be converted, this would allow control over numbers.

In response to questions from the Committee, the Chief Executive gave the following responses:

- Although a sizeable village, Braunton was not included in the table on page 38 of the report as less than 10% of the total number of dwellings in the village were being used as holiday lets.
- In terms relation to trade waste – data matching was undertaken between business rates accounts and holiday lets, but if the Council didn't know where holiday lets were being operated we would not have any way of finding them.
- Examples of staffing shortages due to lack of availability of accommodation was welcomed.
- The area of Lee within Ilfracombe was not listed in the table as it couldn't be separated out from the Parish of Ilfracombe but that it could be used to highlight that there are a high proportion of properties within Parishes used as holiday lets

RESOLVED that the response attached to the report, be endorsed as the response to the Call for Evidence from North Devon Council, subject to any minor additions and amendments, and subject to completion of elements of the data, as deemed appropriate by the Chief Executive after consultation with the Leader.

47. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2022-23

The Committee considered a report by the Director of Resources and Deputy Chief Executive (circulated previously) regarding the Performance and Financial Management Quarter 1 of 2022/23.

The Finance Manager highlighted the following to the Committee:

- The revenue budget forecast position as at Quarter 1 showed a surplus of £3,000 detailed in Appendix A on page 59 of the report.
- The revenue budget for 2022/23 was approved at Council on 23 February 2022 at £13,721,640.
- As at 30 June 2022, the latest forecast net budget was £13,718,640, which produced a forecast budget surplus of £3,000. Details of this were shown in "Appendix A – Variations in the Revenue Budget".
- Temporary Accommodation was under additional cost pressures due to the increase in homelessness cases; the in-year impact of this £120,000 increase in costs had been mitigated by a contribution from the Homelessness earmarked reserve.
- The largest variance within Appendix A was the £804,000 National pay award potential taking staffing costs over and above the £280,000 already built into the base budget; this estimate was based on the offered pay award put

forward to the Unions by the National employers pay review body for the 2022-23 year. The pay offer put forward was based upon £1,925 per full time equivalent employee.

- Other inflationary pressures built into the forecast included additional fuel costs across the works fleet of £198,000 and additional energy costs of £63,000. To date the Council had not included any further general supplies and services inflationary increases as the Council would endeavour to control and manage these in year through the existing budgetary framework.
- The other significant in-year cost pressure that had not been included in the current figures yet was the award of costs claim in relation to the Yelland planning appeal; once this amount was known a report would be brought to Members detailing the award of costs amount and setting out how the Council would be funding this cost.
- The inflationary cost pressures mentioned above would, it was hoped, to be funded in-year through utilisation of the budget management reserve; this reserve, which was set aside to deal with fluctuations within the budget and built up over the last couple of financial years, had provided the Council with the protection needed in 2022-23. Moving forwards to future years 2023-24 onwards, the Council would not have the benefit of this protection and the inflationary pressures being experienced this year would continue onto the future year's budget gap previously highlighted to Members.
- "Appendix B – Movement in Reserves and Balances" detailed the movements to and from earmarked reserves in 2022-23.
- The Capital programme for 2022-23 was detailed in "Appendix D – Capital Programme 2022-23" and showed overall variations of minus £783,000. Disabled facilities grants accounted for most of these variations with slippages to 2023-24.
- The revised Capital Programme for 2022-23, which included budget variations, stood at £18.7 million.
- The actual spend on the 2022-23 Capital Programme as at 30 June 2022 was just under £2 million.
- The revised overall Capital Programme for 2022-23 to 2024-25 was just over £27 million. This was funded by capital receipts and borrowing of £11.1 million, External Grants and Contributions of £13.6 million and Reserves of nearly £2.3 million.
- Treasury and Debt management figures were detailed in paragraphs 4.5 to 4.7 of the report and Key Performance Indicators for services were detailed in Appendix E of the report.

In response to questions from the Committee, the Finance Manager and the Director of Resources advised the following:

- The slippage in disabled facilities grants was due to the lack of contractors available. Three quotes had to be obtained, where three couldn't be found the same provider was generally used. Investigations into making this process quicker was being undertaken.
- Agency staff had to be used to fill a gap where a job had to be undertaken immediately.

- Staff cost savings were made every year. Often there were time delays in filling posts.
- With the increase in homelessness this cost was going to keep increasing. The purchase of units to place homeless had worked well.
- During a member workshop looking at options to ease homelessness it was proposed that the Council purchase more property next year.
- Moving to an electrically charged fleet would require a business case to consider the figures behind this to establish the cost effectiveness of this infrastructure change.

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 as detailed in section 4.2 of the report be approved;
- (c) That the movement on the Strategic Contingency Reserve as detailed in section 4.3 of the report be noted;
- (d) That funds were released for the capital schemes listed in section 4.4.10;
- (e) That the sections dealing with Treasury Management (section 4.5 of the report), and Debt Management (sections 4.6 and 4.7 of the report) be noted; and

RECOMMENDED:

- (f) That Council approve the variations to the Capital Programme 2022/23 to 2024/25 as detailed in section 4.4.3 of the report.

48. HOME LOAN POLICY (REVISED)

The Committee considered a report by the Service Lead – Home Adaptations, Improvements and Energy Efficiency Officer (circulated previously), regarding the Home Loan Policy revision.

The Service Lead – Home Adaptations, Improvements and Energy Efficiency Officer highlighted the following to the Committee:

- The current policy contained five loan types with a cap of £10,000.
- The loan take up was reasonable but could be improved to maximise the community benefit from the loan fund
- The Council had worked with Lendology CIC since 2005 to help deliver the loans to local residents.
- It had been found that the cap was excluding some people from being able to take a loan.
- The streamlining of the Policy reduced the loans from five to three:
 - Commercial Conversion;
 - Empty homes; and
 - Home owners loans.
- The revised Loan Policy had been drafted after consultation with Officers and Representatives from Lendology CIC and adhered to the over-arching aims of:

- supporting the increase and supply of housing (rent or sale); and
- to improve housing standards/energy efficiency.
- Sitting under the Home ownership loans a new 'Lite Loan' had been added.
- A 'Lite Loan' offered a loan between £500 and £1,000 for the purposes of essential repairs, improvements, and adaptations.
- The introduction of a £1,000 Bulk Buy Fuel loan at 0% interest for a year.

RESOLVED that the revised Loan Policy, as set out in Appendix A, be approved.

49. ORDER OF AGENDA

RESOLVED that to allow for the arrival of Officers to the meeting to present their reports that:

- (a) item 9, Progress report – Barnstaple flooding event August 2020, be discussed after item 13, Proposed Amendments to the Council's existing Amenity Standards, Minimum Room Sizing and Management Standards Document; and
- (b) item 10, Sustainable Events Guidance, be discussed after item 11, Operating a Considerate Holiday Let Charter.

50. OPERATING A CONSIDERATE HOLIDAY LET CHARTER

The Committee considered a report by Enforcement Officer, Planning (circulated previously), regarding Operating a Considerate Holiday Let Charter.

The Enforcement Officer highlighted the following to the Committee:

- The aim of the charter was:
 - To provide best practice guidance and advice to anyone who let out whole properties or rooms for short-stay lets;
 - To provide information about the relevant laws that may apply to short-term holiday let providers;
 - To explain the potential pitfalls of non-compliance;
 - To tackle short-term holiday let nuisance issues; and
 - Homeowners may be persuaded to switch to lets from short-stay to permanent residential.
- Short-stay holiday lets were usually used differently to properties that were lived in permanently and that could have an impact on immediate neighbours.
- Neighbours and the community affected by irresponsible short-stay lets reported being affected by issues such as:
 - Poor waste management;
 - Excessive noise;
 - Reduced sense of community and security from high turnover of guests at all times of the day and night;
 - Targeted abuse when trying to address issues, such as noise, directly with guests; and
 - Sleep deprivation from homes being used as 'party venues' or by large groups of individuals. This included outdoor noise.
- The Charter aimed to encourage homeowners and operators to adopt best practice and comply with the law.

- Collaboration with the UK Short-Term Accommodation Association took place to draft the charter, which was initially based on their work with Westminster City Council to produce a Considerate Nightly Letting Charter.
- The Council consulted with North Devon and Torridge Housing Crises Group and welcomed its positive contribution and feedback.
- It was intended to contact homeowners who provided short-stay holiday Lets to request that they consider switching their lets to permanent residential.
- Council Tax data and Business Rates data would be used to identify short-stay holiday Let properties and a copy of the operating a Considerate Holiday Let Charter would be sent to each homeowner.
- The Charter would be available on the Council's website and it may be useful supporting evidence when considering enforcement action to remedy a nuisance.
- The UK Short-Term Accommodation Association had offered to publicise the Charter nationally to promote best practice and increase awareness.

RESOLVED that the Operating a Considerate Holiday Let Charter, as detailed in Appendix A, be adopted.

51. SUSTAINABLE EVENTS GUIDANCE

The Committee considered a report by the Sustainability and Climate Officer (circulated previously), regarding Sustainable Events Guidance.

The Sustainability and Climate Officer highlighted the following to the Committee:

- The Council had been working with Plastic Free North Devon, Torridge District Council and Climate working groups to create simple guidance on running sustainable events that the Licensing teams at both Councils could use.
- It had been tested at numerous local events and the organisers had found it to be very useful.
- It was intended to be a web document that Torridge District Council were working on.

RESOLVED that the publication of the Sustainable Events Guidance be noted.

52. EVENT WASTE MANAGEMENT

The Committee considered a report by the Service Manager (Refuse and Recycling) and the Business Support Manager (circulated previously), regarding Event Waste Management.

The Head of Environmental Enhancement highlighted the following to the Committee:

- Lots of requests to help at events with waste clearance were received by the Council and that the provision of this service was resource intensive.
- Without a pricing system in place, events had been cleared for no charge.

In response to questions, the Head of Environmental Enhancement gave the following responses:

- The reason for not including options for recycling in the service being offered was down to policing the correct usage of recycling bins used at events.
- This pricing system was the first step. Going forward the Council would look at introducing more recycling bins at events.
- The use of recycling bins was complicated as the contamination of loads was a big problem.
- To encourage use of recycling bins there was no charge for the removal of them.
- Staffing pressures were already an issue currently to complete the regular domestic rounds. It was good to be ambitious but the Council also had to be realistic about what we could achieve currently.

In response to a question, requesting more information in paragraph 4.1 the Director of Resources provided the Committee with the following information:

- The Council had to pay to dispose of commercial waste so this cost was incorporated into the charges to its trade waste customers.
- The cost to the council needed to be positive; the new charging system for events would help to grow the Waste and Recycling budgets.

RESOLVED that the event waste management pricing structure for both commercial and non-commercial events as detailed in Appendix A be approved.

53. PROPOSED AMENDMENTS TO THE COUNCIL'S EXISTING AMENITY STANDARDS, MINIMUM ROOM SIZING AND MANAGEMENT STANDARDS DOCUMENT

The Committee considered a report by the Public Protection Manager and Graduate Environmental Health Officer/Residential Licensing Officer (circulated previously) regarding proposed amendments to the Council's existing Amenity Standards, Minimum Room Sizing and Management Standards.

The Graduate Environmental Health Officer/Residential Licensing Officer highlighted the following to the Committee:

- A six-week consultation ran on the proposed amendments to the Amenity Standards, Minimum Room Sizing and Management Standards document from 8 June 2022 to 20 July 2022.
- Approval to run this consultation had been given at a Strategy and Resources meeting in May 2022
- Correspondence with details of the consultation was sent to all stakeholders; including estate agents, licence holders and management companies who manage and or own Houses in Multiple Occupation in North Devon. A press release was also published.
- Six responses were received. The responses were mixed but useful with a key theme being to make wording clearer to avoid confusion.

- All the responses could be seen at Appendix B and the amended document could be seen at Appendix A.
- A query had arisen on the six month time frame for a valid Disclosure and Barring Service (DBS) checks required on application. The query arose as a recent application for a license was made supported with a recently expired DBS check, and the Council were asked if this would be accepted as it had previously been when in date for other applications made by the applicant. Although the applicant had previously held a Licence it was felt that a consistent approach be taken. A valid DBS check was required with all Licence applications regardless the number of previous applications made or the number of Licences previously held.

RESOLVED that:

- (a) The consultation feedback be noted as shown in Appendix B;
- (b) The Amenity Standards, Minimum Room Sizing and Management Standards Document as shown in Appendix A be adopted; and
- (c) The timeframe relating to a basic Disclosure and Barring Service Check remain at six months.

**54. PROGRESS REPORT - BARNSTAPLE FLOODING EVENT
AUGUST 2020**

The Committee considered a report by the Environmental Protection Service Lead, (circulated previously) regarding the Progress report – Barnstaple Flooding event August 2020.

The Head of Planning, Housing and Health highlighted the following to the Committee:

- The Council had commissioned a third party to undertake surveys of the drainage systems in and around Lower Sticklepath. The results of which identified a variety of deficiencies in the system.
- Representations made to Devon County Council (DCC) and South West Water (SWW) had resulted in both DCC and SWW committing to securing funds to invest in infrastructure improvements.
- Officers had established a working group with key Councillors and representatives from relevant partner agencies, which included Devon County Council, South West Water and the Environment Agency. The purpose of this group was to work collaboratively identifying and undertaking the necessary works to minimise the likelihood of residents experiencing similar problems in the future.
- Funding was available from DCC for properties to opt into a scheme to facilitate property specific flood protection measures to be installed.

Councillors Lofthouse and Knight addressed the Committee to give the following additional information:

- The Environmental Protection Service Lead officer had persisted tirelessly with DCC and SWW to get works underway.
- Although a lot of work had been undertaken, a lot was still needed.
- Households were being urged to apply to the DCC funding scheme for flood protection works.
- The current sewage system was aging, with septic tanks having been installed in the 1950's. It would be good to see a stronger response at planning stage to decrease water run-off on existing builds. New builds had to have attenuation basins to cope with surface water run-off.

The Head of Planning, Housing and Health confirmed that it was a very valid point as there were a lot of combined sewers in Devon's towns and that he was happy to take away the action of combined sewers with a view to modification on existing properties.

The Environmental Protection Service Lead joined the meeting via Teams and added that he felt it was very relevant to take away the action of combined sewers.

Councillor Wilkinson requested that when looking at increased water discharges this included campsites.

RESOLVED that the update report be noted.

55. APPROVAL AND RELEASE OF S106 PUBLIC OPEN SPACE FUNDS - BARNSTAPLE, LANDKEY AND TAWSTOCK

Councillor Lofthouse declared a personal interest as a member of Tawstock Parish Council.

Councillor Knight declared a personal interest as a member of Tawstock Parish Council.

The Committee considered a report by Leisure and Recreation Officer (circulated previously) regarding the allocation of section 106 public open space funds towards seven projects within Barnstaple, Landkey and Tawstock.

RESOLVED that section 106 public open space funds be allocated as follows:

- (a) £111,099.60 to Fremington Parish Council towards the construction of a Multi-Use Games Area at Queen Elizabeth II Playing Field, Tews Lane, Roundswell.
- (b) £15,002.19 to Tawstock Parish Council to enhance Tower View Recreation Area, Barnstaple.
- (c) £39,703.60 to North Devon Crematorium towards the creation of a memorial garden at North Devon Crematorium, Barnstaple.
- (d) £62,636.92 to North Devon District Council towards public realm improvements at Library Square, Barnstaple.

- (e) £25,937.55 to Barnstaple and Pilton Cricket Club towards enhancements of their clubhouse at Raleigh Meadow, Barnstaple.
- (f) £7,900 to Landkey Town Football Club towards access and storage improvements at Millenium Green, Landkey.
- (g) £16,181.29 to Tawstock Village Hall towards the enhancement of Tawstock Village Hall.

RECOMMENDED:

- (e) That Council vary the capital programme by £278,461.15 and that the funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed by the Senior Solicitor, for external projects.

Chair

The meeting ended at 11.24 am

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