

NORTH DEVON COUNCIL

Minutes of a meeting of Council held at Barum Room - Brynsworthy on Wednesday, 22nd February, 2023 at 6.30 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Biederman, Bushell, Campbell, Cann, Davies, Gubb, Henderson, Knight, Lane, Leaver, Ley, Lofthouse, Lovering, Mack, Mackie, Orange, Patrinos, Prowse, Roome, D. Spear, L. Spear, Topham, Tucker, Walker, Worden, Yabsley and York

Officers:

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

Also Present virtually:

Councillors Pearson and Wilkinson.

88. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bulled, Chesters, Davis, Fowler, Nel and Saxby.

The Senior Corporate and Community Services Officer advised that Councillors Pearson and Wilkinson were attending the meeting virtually and therefore not able to take part in voting.

89. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 11 JANUARY 2023 (ATTACHED)

RESOLVED that the minutes of the meeting held on 11 January 2023 (circulated previously) be approved as a correct record and signed by the Chair.

90. CHAIR'S ANNOUNCEMENTS

(a) NDC Chair Civic Service – Sunday 26 February 2023

The Chair reminded Councillors of her Civic Service which was taking place on Sunday 26 February 2023. She advised that tea and coffee would be served between 10.00 am to 10.20 am and that the church service would commence at 10.20 am. She said that it was really sad that out of 42 Councillors, only 20 had replied to the invitation to attend the Civic Service. She advised that Councillors were also not replying to other emails and requests to attend other meetings and that it was bad manners and requested that Councillors respond to emails and invitations.

(b) National Silence to Mark One Year Since Russian Invasion of Ukraine

The Chair advised Councillors that a one minute silence would be taking place on Friday 24 February 2023 at 11.00 am at Brynsworthy Environment Centre where the Ukraine flag would be raised, which was a national silence to mark one year since the Russian Invasion of Ukraine.

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

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

92. 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 petitions received under Part 4, Council Procedure Rules, Paragraphs 8 and 9 of the Constitution.

93. 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 receive the following notice of motion from Councillor Walker

Councillor Walker presented her notice of motion to Council and requested that the notice of motion be amended to remove the reference to “Chief Executive”.

It was moved by Councillor Walker and seconded by Councillor Cann “that the notice of motion be adopted subject to the removal of the reference to “Chief Executive””.

RESOLVED that the Leader of the Council and other group leaders be instructed to write to the Cabinet Office to express the Council’s complete opposition about the damaging effect on democracy that mandatory Voter ID will have in UK elections and to demand that this section of the new legislation is repealed immediately.

(b) To receive the following notice of motion from Councillor Worden

Councillor Worden presented his notice of motion to Council. He advised that since the publication of the agenda, the Local Government Finance Settlement for 2023/24 had been confirmed. On 6 February 2023, the Government had announced the actual support details and there had been a slight change. The Rural Services Delivery grant (RSDG) in 2020/21 was £85m and he advised that it should increase to £96.27m in 2023/24 to reflect the impact of inflation. It had been announced in the Finance Settlement that it would increase to £95m, the result has provided an additional £40,000 of RSDG funding, however a corresponding reduction of the same amount within the separate Funding Guarantee grant has in effect resulted in the same level of funding for North Devon.

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

RESOLVED that this Council:

1. Agrees with the Rural Services Network that action is needed now:
 - (a) The existing formula should be applied from 2023/24 - in full without damping. This does not require any new monies to be found.
 - (b) There can be no justification for penalising rural authorities by continuing to deny them their full formula allocations. They have already been denied that benefit for 9 years.
 - (c) If the formula is not going to be applied, then the amount necessary to do so for rural councils should be distributed via the Rural Services Delivery Grant (RSDG) mechanism and all authorities exemplified in benefiting from the 2013 formula changes should receive the relevant amount through RSDG.
 - (d) Furthermore, RSDG should be uplifted in line with inflation, in the same way as the Settlement Funding Assessment (SFA).
2. Agrees to ask our M.P. to lobby government for fair funding for rural councils and to write to the Chancellor supporting the RSN campaign.

(c) To receive the following notice of motion from Councillor Tucker

Councillor Tucker presented his notice of motion to Council.

It was moved by Councillor Tucker and seconded by Councillor Knight “that the notice of motion be referred to the Strategy and Resources Committee for consideration and that the Committee also consider writing a letter to the Chief Executive of Devon County Council, Leader of Devon County Council, Councillor Hughes (Portfolio Holder and Lead Member for Devon County Council Highways repairs) and the MP to lobby the Minister to give Devon County Council a fair slice of funding to undertake highway repairs in North Devon and to put pressure on Devon County Council to start the repairs on the pot holes as soon as possible.”

Councillors Biederman, Henderson, Leaver, Roome and Yabsley declared Other Registerable Interests as Members of Devon County Council, however, given the proposal to refer the matter to Strategy and Resources Committee, which does not directly affect their interest, these Councillors were able to take part in the deliberation and vote.

RESOLVED that the notice of motion be referred to the Strategy and Resources Committee for consideration and that the Committee also consider writing a letter to the Chief Executive of Devon County Council, Leader of Devon County Council, Councillor Hughes (Portfolio Holder and Lead Member for Devon County Council Highways repairs) and the MP to lobby the Minister to give Devon County Council a fair slice of funding to undertake highway repairs in North Devon and to put pressure on Devon County Council to start the repairs on the pot holes as soon as possible.

94. DECLARATIONS OF INTEREST

There were no declarations of interest received.

95. 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.

96. 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 Walker advised Council of an event for Ukraine families to mark the 12 month invasion anniversary which would be taking place on Saturday 25 February 2023 from 4.00 pm at the Square, Barnstaple. Anyone was welcome to attend to support Ukraine refugees and those left behind.

97. QUESTIONS BY MEMBERS

Council noted that no questions had been submitted to the Leader or the Chair of a Committee under Part 4, Council Procedure Rules, paragraph 10.4 of the Constitution.

98. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 3 OF 2022/23

Council considered the Performance and Financial Management Quarter 3 report to the Strategy and Resources Committee on 6 February 2023 (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 Quarter 3 of 2022/23 report to the Policy Development Committee on 9 February 2023 (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 held on 6 February 2023 on the Performance and Financial Management Quarter 3 of 2022/23 report (circulated previously).

It was moved by Councillor Worden and seconded by Councillor Walker "that minute 96 (f) of the report of the Strategy and Resources Committee held on 6 February 2023

regarding the Performance and Financial Management Quarter 3 of 2022/23 report be adopted”.

RESOLVED that minute 96 (f) of the report of the Strategy and Resources Committee held on 6 February 2023 regarding the Performance and Financial Management Quarter 3 of 2022/23 report be adopted.

99. REVIEW OF FEES AND CHARGES FOR SERVICES 2023/24

Council considered the Review of Fees and Charges for 2023/24 report to the Strategy and Resources Committee on 6 February 2023 (circulated previously).

(a) **Ilfracombe Harbour Charges Review 2023-24**

Council considered a report by the Ilfracombe Harbour Master (circulated previously) regarding the Ilfracombe Harbour Charges Review 2023-24.

(b) **North Devon CCTV Hub Charges**

Councillor Worden, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee held on 6 February 2023 on the North Devon CCTV Hub Charges (circulated previously).

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

Councillor D. Spear, Chair of the Policy Development Committee presented the Committee’s report on the Review of Fees and Charges for Services 2023/24 to the Policy Development Committee on 9 February 2023 (circulated previously).

(d) **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 held on 6 February 2023 on the Review of Fees and Charges for Services 2023/24 (circulated previously).

It was moved by Councillor Worden and seconded by Councillor York “that the recommendations in the Ilfracombe Harbour Charges Review 2023-24 report, recommendation 95(b) of the Strategy and Resources Committee held on 6 February 2023 regarding the North Devon CCTV Hub Charges and recommendation 97 of the report of the Strategy and Resources Committee held on 6 February 2023 regarding the Review of Fees and Charges for Services 2023/24 be adopted.”

RESOLVED that the recommendations in the Ilfracombe

Harbour Charges Review 2023-24 report, recommendation 95(b) of the Strategy and Resources Committee held on 6 February 2023 regarding the North Devon CCTV Hub Charges and recommendation 97 of the report of the Strategy and Resources Committee held on 6 February 2023 regarding the Review of Fees and Charges for Services 2023/24 be adopted.

100. REVENUE BUDGET 2023-24, CAPITAL PROGRAMME AND MEDIUM TERM FINANCIAL STRATEGY 2023-24 TO 2028-29

Councillor Worden, provided an introduction to the Revenue Budget 2023-24, Capital Programme and the Medium Term Financial Strategy 2023-24 to 2028-29 which had been considered by the Strategy and Resources Committee and Policy Development Committee. He thanked those Councillors that had attended the workshops held in August and October 2023. The workshops had been cross party and considered options for reducing the £2m budget gap. Some of these options had been included within the budget report to reduce the budget gap. He thanked the Director of Resources and the Finance team for producing a balanced budget and advised that the Council was extremely fortunate for having these officers.

Council received a presentation by the Director of Resources regarding the Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29 (circulated previously) as follows:

- Consultation on the financial plans had taken place with local business rate payers at an event held on 21 February 2023 at Node. Around 25 businesses had attended and positive feedback on the Council's projects and plans was received.
- Funding levels to Local Authorities from 2012/13 to 2023/24.
- Finance Settlement – core spending power of 9.2% and analysis.
- As a Shire District the Council's actual core spending power was on average only at 5%.
- The spending power varied according to region and the overall national level of 9.2% equivalent for the South West was 8.8%.
- Central Government had run a finance settlement consultation, closed 16 January 2023. Appendix F of the report showed the response our Council had made in relation to this consultation.
- The draft budget was assuming an increase of 2.99% on Council Tax.
- Retained growth on Business rates of around £2 million.
- The challenges to the budget came from reduced grant funding from Government, reduced workforce levels since 2010 and the uncertainty of the future Local Government Funding.
- Inflationary pressures on the budget came from increased staff pay, increased energy prices, rising fuel prices and increased costs of external contracts.
- There had been two earlier budget workshops with Members and a full report to Council in November 2022 to approve options identified to draft the refreshed Medium Term Financial Strategy.
- Bridging the gap in the budget as follows (as detailed in section 4.1.2.14 of the report):

Fair Funding Review assumed now postponed and the assumption of a cash freeze in funding	(£528,000)
Reversal of 1.25% rise on National Insurance (employers)	(£80,000)
Growth in sale of Recycling materials income	(£250,000)
Energy reduction on Council offices following capital investment	(£29,000)
Sub-total	(£887,000)
Review of Car Parking charges	(£450,000)
Review of Garden Waste charges	(£90,000)
Transfer of Public Conveniences to Town and Parish Councils	(£240,000)
Increased capital acquisitions of property for use as Temporary Accommodation	(£80,000)
Reduction in contribution to 2 x earmarked reserves due to making planned contributions earlier in 2022-23 year	(£175,000)
Total	(£1,922,000)

- Positive feedback received from Parishes and Town Councils in taking on responsibility for public conveniences. This was being assumed as a revenue saving in the 2023/24 budget.
- A breakdown in how the split of Council Tax was shared out and to whom showed that this Council received 10% of collected council tax for services such as refuse collections, kerbside recycling, housing, planning, street cleaning and leisure. It was recommended that there was a 2.99% increase in Council Tax.
- Green Lanes Shopping Centre financials update showed performance was in line with the budgeted position for 2022/23 and the cash flow was in line with forecasts for 2023/24.
- Appendix A of the report detailed the Council's summary budget for 2023/24. The net budget for 2023/24 was £14.766 million.
- Appendix B of the report detailed the recommended level of strategic grants for 2023/24. The Council had provided assistance to Citizens Advice by providing accommodation at Lynton House that was around a tenth in cost of the rental that they previously paid. Citizens Advice had similar clients and it provided the opportunity to give a much better service for customers.
- Assumptions and risks had been detailed within the budget report.
- Appendix C of the report detailed reserves held. The General fund balance was £1.211 million, which equated to 8.2% of net budget. The recommended level was 5%-10%.
- The current forecast level for earmarked reserves at 31 March 2024 was £5.688 million.
- The Collection Fund reserve was linked to the Council's share of the Business rates collected and offered a 40% protection of around £2m if the Council's share of business rates collected were to drop.

- The Budget Management reserve added protection to the revenue budget for additional cost pressures or reductions in income sources.
- The Corporate Property Management Initiative reserve was to cover any additional costs of marketing and preparing new units to let in Green Lanes.
- The Corporate Property Income Volatility reserve protected the Council budget if any tenants dropped out of Green Lanes and we saw a rent level reduction.
- The Strategic Contingency reserve added protection for any one off expenditure.
- The Treasury Management reserve was held to mitigate against the increased cost of borrowing rates in future years.
- The Regeneration Projects reserve was to contribute towards future regeneration capital programmes identified.
- Assurances were given by the Chief Financial Officer that budget estimates made were robust and the level of financial reserves being proposed were adequate.
- The model for the Medium Term Financial Strategy had been refreshed and this was shown in detail at Appendix D of the report.
- The forecast cumulative budget gap/(surplus) was shown as follows:

Years	2023-24 £m	2024-25 £m	2025-26 £m	2026-27 £m	2027-28 £m	2028-29 £m
Budget gap / (surplus)	0	0.499	3.027	3.488	3.548	3.455

- Appendix E of the report detailed the Capital Programme costs for 2022/23 to 2025/26.
- The Performance and Financial Management Quarter 3 of 2022-23 was also reported on the agenda. This report highlighted the latest plans for capital investment for the period 2022-23 to 2025-26, which amounted to £32.211m and was broken down as follows:
 - 2022-23 £9.506m
 - 2023-24 £18.336m
 - 2024-25 £4.299m
 - 2025-26 £0.070m
- The Project Appraisal Group had received five business cases for capital funding as follows:
 - LED Lighting - renewal & safety testing £75,000
 - Old Lime Kiln Larkstone Cove regeneration £111,325
 - Victoria Pleasure Grounds – PC / bus Shelter £180,000
 - Fairview & Brookdale – car park resurfacing £395,000
 - Disabled Facility Grants (Better Care Fund) £1,200,000
- Following the Strategy and Resources Committee meeting on 6 February 2023, Ward Members had been consulted on the Fairview and Brookdale car park resurfacing project which would include the complete resurfacing and realignment of both car parks and had endorsed the improvements.

- The Gross cost of these business cases for funding was £1,961,325 which would be funded through the following:
 - External Funding (£1,380,000)
 - Regeneration reserve (£111,325)
 - Repairs fund reserve (£250,000)
 - Borrowing requirement (£220,000).
- Projected borrowing was dependent on how treasury activity was managed. To safeguard against future loan interest rate rises a Treasury Management reserve was in place.
- Risks that could affect financial plans included the following:
 - Government Grants
 - Key areas of income
 - Capital receipts
 - Savings plans
 - Increase demand for services
 - Localisation council tax support
 - Business rates retention
 - Welfare reform
- The Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29 had been considered by the Strategy and Resources Committee on 6 February 2023, the Policy Development Committee on 9 February 2023 and finally at full Council on 22 February 2023.
- Future options for consideration.

Councillor Topham left the meeting.

(a) **Temporary Accommodation and Homelessness Update**

Councillor D. Worden, Chair of the Strategy and Resources Committee reported the Committee's recommendation on the Temporary Accommodation and Homelessness update to the Strategy and Resources Committee on 6 February 2023 (circulated previously).

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

Councillor D. Spear, Chair of the Policy Development Committee presented the Committee's report on the Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29 to the Policy Development Committee on 9 February 2023 (circulated previously).

Councillor D. Spear thanked the Director of Resources for hard work in taking the Council through this process.

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

Councillor Worden, Chair of the Strategy and Resources Committee reported the Committee's recommendations on the

Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29 (circulated previously).

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

- The potential additional income from the extra Council Tax on Second Homes increase in 2024/25 would as currently be split up proportionally between major preceptors. There was opportunity for early discussions with Devon County Council via the Chief Executive and the Leader as part of the wider Team Devon group regarding the re-investment of this overall additional income to help with the housing crisis.
- The 2022/23 Green Lanes budget was based on the original gross rental projections less capital costs and asset management fees. The net return was budgeted at £345,000 which helped to fund other projects and also included £75,000 for corporate property income reserve and £100,000 for the Economic Regeneration reserve for wider projects. For 2023/24, the projected net return would be slightly higher as it would include the car park charges increase and it was estimated that it would be nearer a net return of £400,000.
- The New Homes Bonus was previously a multi-year scheme and it was previously announced that it would decrease. Changes to the scheme had reduced it from 6 to 4 years and the legacy payments had now been removed. Only a 1 year settlement was now received at a much lower amount. For 2023/24, the Council would receive £448,000, which was around £1 million less than was received for 2022/23. All Councils had seen a decline in New Homes Bonus funding. A new 3% funding guarantee had been introduced in 2023/24 to ensure Council's overall funding levels were not lower than the previous year 2022/23.
- Funding to the Theatres had not been included on the strategic grant appendix for the past few years. The strategic grants were for community and voluntary organisations rather than subsidies. Funding for the theatres for 2023/24 was budgeted at £145,000 which included inflationary increases in accordance with the contract and no additional funding had been awarded. The Capital Programme included a couple of projects for improvements to be made and discussions were being held with Selladoor regarding the properties.
- The Council was required to set a balanced budget and was not allowed to budget for a surplus.

- Following the end of the current 2022/23 financial year, the Council would review any underspends and consider how these could be utilised to cover any overspends in other areas. The strategic grants for community and voluntary organisations did not include inflation. The Council had provided financial assistance to Citizens Advice by providing accommodation at Lynton House which was one tenth of the cost of the rental that they had paid previously. The team met regularly with the community and voluntary organisations in receipt of the Strategic Grants, none of which had requested additional funding under their service level agreements. It was positive that it was not proposed to reduce the level of strategic grants.

Councillor Gubb left the meeting.

It was moved by Councillor Worden and seconded by Councillor Prowse “that the recommendation in minute 93(c) “Temporary Accommodation and Homelessness Update” and recommendations in minute 98 (f) – (i) “Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29” of the Strategy and Resources Committee held on 6 February 2023 be adopted.”

Council noted that in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which came into force on 25 February 2014 and the Constitution, Council was required to take a recorded vote when setting its budget and Council Tax.

Voting on the motion:

Voting for the motion: Councillors Biederman, Bushell, Campbell, Cann, Davies, Henderson, Hunt, Knight, Leaver, Ley, Lofthouse, Lovering, Mack, Mackie, Orange, Patrinos, Prowse, Roome, D. Spear, L. Spear, Tucker, Worden, Yabsley and York.

Voting against the motion: Councillor Lane.

Abstained from voting on the motion: None.

Totals: 24 For, 1 Against and 0 Abstained.

NOTE: Councillor Walker was not present during the voting.

The motion was carried.

RESOLVED that the recommendation in minute 93(c) “Temporary Accommodation and Homelessness Update” and recommendations in minute 98 (f) – (i) “Revenue Budget 2023-24, Capital Programme and Medium Term Financial Strategy 2023-24 to 2028-29” of the Strategy and Resources Committee held on 6 February 2023 be adopted.”

101. TREASURY MANAGEMENT STRATEGY STATEMENT 2023/24

Council considered a report by the Director of Resources and Deputy Chief Executive regarding the Treasury Management Strategy Statement 2023/24 to the Strategy and Resources Committee on 6 February 2023 (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 Treasury Management Strategy Statement 2023/24 to the Policy Development Committee on 9 February 2023 (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 Treasury Management Strategy Statement 2023/24 (circulated previously).

It was moved by Councillor Patrinos and seconded by Councillor Lofthouse “that minute 100 of the Strategy and Resources Committee held on 6 February 2023 regarding the Treasury Management Strategy Statement 2023/24 be adopted”.

RESOLVED that minute 100 of the Strategy and Resources Committee held on 6 February 2023 regarding the Treasury Management Strategy Statement 2023/24 be adopted.

102. 10 YEAR CAPITAL STRATEGY 2023-2033

Council considered a report by the Director of Resources and Deputy Chief Executive regarding the 10 Year Capital Strategy 2023-2033 to the Strategy and Resources Committee on 6 February 21023 (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 10 Year Capital Strategy 2023-2033 to the Policy Development Committee on 9 February 2023 (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 10 Year Capital Strategy 2023-2033 (circulated previously).

It was moved by Councillor Tucker and seconded by Councillor Roome “that minute 101 of the Strategy and Resources Committee held on 6 February 2023 regarding the 10 Year Capital Strategy 2023-2033 be adopted.”

RESOLVED that minute 101 of the Strategy and Resources Committee held on 6 February 2023 regarding the 10 Year Capital Strategy 2023-2033 be adopted.

103. COUNCIL TAX RESOLUTIONS 2023/24

Council considered a report by the Director of Resources and Deputy Chief Executive (circulated previously) regarding the Council Tax Resolutions for 2023/24.

The Director of Resources and Deputy Chief Executive highlighted the following:

- Devon County Council at its meeting on 16 February 2023 had approved a Council Tax increase of 4.99%, which was in line with the report.
- Devon and Somerset Fire and Rescue Authority at its meeting on 15 February 2023 had approved a Council Tax increase of £5, which was in line with the report.

It was moved by Councillor Worden and seconded by Councillor Tucker “that the formal Council Tax Resolutions for 2023/24 as set out in Appendix A of the report be approved.”

Council noted that in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which came into force on 25 February 2014 and the Constitution, Council was required to take a recorded vote when setting its budget and Council Tax.

Voting on the motion:

Voting for the motion: Councillors Biederman, Bushell, Campbell, Cann, Davies, Henderson, Hunt, Knight, Leaver, Ley, Lofthouse, Lovering, Mack, Mackie, Orange, Patrinos, Prowse, Roome, D. Spear, L. Spear, Tucker, Walker, Worden, Yabsley and York.

Voting against the motion: Councillor Lane

Abstained from voting: None

Totals: 25 For, 1 Against and 0 abstained.

The motion was therefore carried.

RESOLVED that the formal Council Tax Resolutions for 2023/24 as set out in Appendix A of the report be approved.

104. LOCAL PLAN REVIEW

Council considered a report by the Senior Planning Policy Officer (circulated previously) regarding the Local Plan Review.

The Chief Executive presented the report to Council.

It was moved by Councillor Prowse and seconded by Councillor Worden that the recommendations in the report be adopted.

RESOLVED:

- (a) That the Council move to a targeted and focused partial update to the North Devon and Torridge Local Plan, the potential scope of which is indicatively set out within Appendix F, that specifically explores opportunities to address:
 - (i) specific elements of the adopted local plan that are no longer consistent with national planning policy;
 - (ii) specific policy provisions in the adopted local plan that are currently considered to be ineffectively worded or would benefit from clarification;
 - (iii) those areas of policy whereby the adopted local plan is currently silent; and
 - (iv) policy provisions which no longer conform to the majority views of the Councils.
- (b) that the approach to updating the local plan is kept under review having regard to any relevant changes to the local and national context;
- (c) that the scope of the update is established, the appropriate development plan vehicle for its delivery be established and a revised Local Development Scheme (LDS) presented to a future meeting of the Joint Planning Policy Committee for consideration and approval (or through such other mechanism as to be agreed with Members); and
- (d) that work commence on a partial review of the Local Plan with immediate effect but that the formal decision of the review of the Local Plan (for Plan making purposes) be deferred until resolution of the following:
 - (i) the results of the current national consultation regarding change to Plan making;
 - (ii) the results of the review of the 5 Year Housing Land Supply position;
 - (iii) a review of our position related to the Plan period; and
 - (iv) completion of the Duty to Cooperate process.
- (e) that concurrently, Officers explore and pursue actions and interventions to support the positive and effective implementation of the adopted North Devon and local plan.

Councillor Ley left the meeting.

105. CONSTITUTION UPDATE TO PART 3 ANNEXE 2 AND PART 4

CONTRACT PROCEDURE RULES

Council considered a report by the Senior Solicitor and Monitoring Officer (circulated previously) regarding the Constitution Update to Part 3 Annexe 2 and Part 4 Contract Procedure Rules.

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

- Part 3 Annexe 2 paragraph 4.12 – a local agreement was already in place and had been for a number of years for honorarium payments to be made to officers acting up over and above their normal duties. The policy was set as a maximum of £500. There was no specific budget for honorarium payments and was included within the overall service areas employee budget. This was an amendment to ensure that constitution was up to date to reflect this.
- Part 3 Annexe 2 paragraph 5.12 - it was understood that hackney carriage or private hire drivers had the right to appeal against revocation of licences, however further clarification would be sought.

It was moved by Councillor Roome and seconded by Councillor Patrinos that the recommendation be adopted.

RESOLVED that the proposed amendments to Parts 3 and 4 of the Constitution as annexed to this report be approved.

106. REPORT OF LEAD MEMBER FOR CLIMATE CHANGE

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

The Lead Member for Climate Change reported the following:

- He encouraged all Members to complete the online climate change training course.
- He encouraged all Members to prompt all local groups that they had contact with to ask if they would organise an event or programme as part of the Climate action awareness week.
- A second EV charging unit would be installed at the Cattle Market car park shortly.
- The Council would be shortly installing LED lights in all of its office buildings. The project for the installation of PV solar panels on Council assets roofs could not be progressed currently as the current usage figures within the business case did not include the impact following the implementation of the LED lights and would need to be updated to reflect this.

107. MINUTES OF COMMITTEES

(a) Governance Committee

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

follows:

(i) 10 January 2023

(b) **Planning Committee**

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

(i) 11 January 2023

(c) **Policy Development Committee**

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

(i) 8 December 2022

(ii) 5 January 2023

(iii) 9 February 2023

(d) **Strategy and Resources Committee**

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

(i) 9 January 2023

(ii) 6 February 2023

a. Minute 94: Council Tax Discounts

b. Minute 103 (b): Approval and Use of S106 Public Open Space Funds - Berrynarbor

Chair

The meeting ended at 8.55 pm

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