

NORTH DEVON COUNCIL

Minutes of a meeting of Council held at G107, 1st Floor, South West Institute Development Building, Petroc, Barnstaple - Petroc College on Wednesday, 22nd November, 2023 at 6.30 pm

PRESENT: Members:

Councillor Hunt (Chair)

Councillors Bell, Biederman, Bishop, Bulled, Bushell, Cann, Crabb, Davies, Denton, Haworth-Booth, Jones, Jusef, D Knight, R Knight, Lane, C Leaver, P Leaver, Lovering, Maddocks, Maskell, Milton, Norman, Orange, Patrinos, Prowse, Quinn, Roome, L. Spear, Stevenson, Topps, Walker, Whitehead, Wilkinson, Wilson and Worden

Officers:

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

58. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clayton, Turton and Williams.

59. TO APPROVE AS CORRECT RECORDS OF THE MINUTES OF THE MEETINGS HELD ON 4 OCTOBER 2023 (ATTACHED)

RESOLVED that the minutes of the meetings held on 4 October 2023 (circulated previously) be approved as correct records and signed by the Chair.

Council noted that since the approval of the minutes of the Council meeting held on 19 July 2023 as a correct record at the last meeting of Council on 4 October 2023 that Councillors Denton, Norman, Milton, Orange and Quinn were also in attendance at the meeting of Council on 19 July 2023.

60. CHAIR'S ANNOUNCEMENTS

(a) Chair's Valentine Charity Ball – 10 February 2024

The Chair advised Council that she would be holding a Valentine Charity Ball on Saturday 10 February 2024 at the Barnstaple Hotel which all Councillors would be

invited to attend. She advised that the closing date would be 27 January 2024 and to contact the Corporate and Community Services team for further information.

61. 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.

62. 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 Procedures Rules, Paragraphs 8 and 9 of the Constitution.

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

There were no motions of which notice has been submitted by Members in accordance with Part 4, Council Procedure Rules, Paragraph 11 of the Constitution.

64. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Councillor Bell – item 10, disclosed for transparency reasons only, as an employee of the NHS

Councillor Lovering – item 10, disclosed for transparency reasons only, as an employee of the NHS

Councillor Roome – item 10, disclosed for transparency reasons only, as an employee of the NHS

65. 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 submitted by Members under Part 4, Council Procedures Rules, Paragraph 10 of the Constitution to Council.

66. NHS UPDATE

(a) NHS Changing Context and Working in Partnership

Council received a presentation by Katherine Allen, Director of Strategy, Royal Devon University Healthcare, NHS Foundation Trust regarding the NHS Changing Context and working in partnership. She highlighted the following: the setting up of

the Integrated Care Systems and their aims; the formation of place based Local Care Partnerships in Devon who would become the key drivers of health and care locally, their primary responsibilities in 2022/23 and additional responsibilities beyond 2024; the 12 key challenges facing Devon some of which were common across other areas of the country, but others reflected the unique make up of Devon; NHS Devon Joint Forward Plan and the enablers; how other plans including the North Devon and Torridge Local Plan overlapped and highlighted where the NHS could work together with the Council; the Royal Devon NHS Better Together Strategy strategic objectives and current workplan and highlighted those areas where the NHS were working in partnership with others; summary of how the NHS were connected to the Council and the opportunities of where the NHS and the Council could work together.

(b) New Hospitals Programme, timelines and Update

Council received a presentation by Zahara Hyde, Director of Estates and Facilities and Director of the Our Future Hospital Programme, Royal Devon University Healthcare, NHS Foundation Trust regarding the new Hospitals Programme, timeline and update. She highlighted the following: ambitions for the future hospital which included fit for future services for our population, fit for future estate, Right Care Right Place, digitally optimised and fit for future workplace; the Clinical Strategy for achieving Right Care Right Place, to be digitally optimised, fit for future estate and the North Devon District Hospital challenges; the National New Hospital Programme and the preferred way forward; Phase 1 enabling works which would include the demolition of Munro and Chichester Houses in July/August 2024; the benefits to the community and wider enablers; areas to work in partnership with the Council which included housing (affordability and availability), digital infrastructure, transport infrastructure and involvement in the development of new models of care.

There then followed a question and answer session.

It was agreed that a copy of the presentation slides be circulated to all Members.

67. 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 Roome highlighted the following:

- The Council would receive notification of its financial settlement from the Government in December 2023 for the financial year 2024/25. The Chancellor's statement today did not include any reference to future funding for Local Authorities.
- The Chancellor's statement included the increase of local housing allowance.
- Since the publication of the Leader's report, the outcomes of bids to the Levelling Up Fund had been announced and it was disappointing that the Council had not been successful in being awarded funding to help tackle the housing problems in Ilfracombe. There was need for some serious investment to be made in Ilfracombe by the Government. This had not been included as part of the Chancellor's statement. However, the Council was

working in partnership with other agencies to try to address some of the housing issues in Ilfracombe.

The Leader was requested to convene a special meeting with all agencies including health and Devon County Council and to work together to source other funding opportunities to help address the housing issues in Ilfracombe.

In response to the debate, the Chief Executive advised Council of the following:

- Due to the metric and indices for Ilfracombe, public authorities needed to get involved to work together to help address the issues, however this would be difficult without additional funding.
- The bid to the Government's Levelling Up Fund included delivery of the Seafront masterplan and was unsuccessful. The exception case bid to Government included key worker accommodation and health projects. It had not been expected to receive funding through this fund, however it had been the Council's intention to seek to secure funding through the Government's exception fund.
- A roundtable meeting with representatives from the Department for Levelling Up, Housing and Communities and other officials would be taking place on 23 November 2023 and as a result the Council would have a better understanding if there would be an opportunity to secure funding through the Government's exception fund. He would provide an update to Councillors of the outcomes of this meeting.
- The task team for Ilfracombe chaired by Councillor Crabb would then be convened which consisted of representatives from health, North Devon Council, Ilfracombe Town Council and Devon County Council.
- If the Council could not secure funding through the Government's exception fund, the Council would need to explore options for working with the private sector.

68. QUESTIONS BY MEMBERS

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

Question for the Leader from Councillor Bell "DCC have once again surreptitiously opened a consultation on the future of the Link Centres in North Devon with a view to cutting, what DCC regard as an expensive extravagance, but for the users of the Link Centres (in Ilfracombe, Barnstaple and Bideford) are a vital lifeline and a way to facilitate access to mental health services and more importantly, a vital social hub where some of the most vulnerable and forgotten adults in our society can meet and find companionship, common ground and mutual support. DCC have now launched a third consultation on this matter and appear hell-bound to continue "consulting" until they finally get the answer they want. Fortunately, the people of North Devon and the excellent work of Save our Hospital Services have kept the wolf from the door so far. But it is only a matter of time before North Devon loses yet another County service. Would the Leader please agree;

- (a) That North Devon Council should strongly appeal to Devon County Council that these services are vital and should continue

Councillor Roome, Leader's response: "I concur that the Link Centres play a crucial role in supporting individuals facing mental health challenges. As Leader of North Devon and a Devon County Councillor, I am committed to advocating for their retention and continued operation."

- (b) To urgently ask our comms team to promote this consultation to maximise the voice of North Devon on this vital matter

Councillor Roome, Leader's response: "I've requested our Communications Team to disseminate the consultation links across our various media channels."

- (c) Thank Save Our Hospital Services for their tireless work in protecting and promoting the healthcare services of our distant, isolated community."

Councillor Roome, Leader's response: "I align with Cllr Bell's viewpoint that Save Our Hospital Services rightfully deserve acknowledgment for their ongoing efforts and advocacy to safeguard these crucial mental health services. Their persistent lobbying ensures the protection of services relied upon by numerous users at the Link Centres."

I trust that the Conservative administration at Devon County Council will attentively consider all users' perspectives and refrain from moving forward with any closures of the existing service provision in its present operational format."

In response to a supplementary question from Councillor Bell regarding the closing date for the consultation being 6 December 2023 and the importance of the Link Centres facilities access to mental health services, the Leader advised that all Councillors would be well aware of the importance of the Link Centre and he had been assured by Devon County Council officers that Devon County Councillors would be involved in discussions prior to a decision being taken, the views of users would be put forward and that he would monitor the situation closely.

69. LOCAL PLAN REVIEW - TO AGREE A WAY FORWARD

Council considered a report by the Head of Place, Property and Regeneration (circulated previously) regarding the Local Plan Review and to agree a way forward.

In response to questions, the Director of Resources and Deputy Chief Executive advised that there was an earmarked reserve specifically for the review of the Local Plan and there were sufficient funds available to undertake a full review. A partial review of the Local Plan would be less costly. The earmarked reserve balance had been based on undertaking a joint review with Torrington District Council and if the decision was taken to not undertake a joint review, the costs for the Council would be significantly higher.

It was moved by Councillor Bushell and seconded by Councillor Roome that the recommendations in the report be adopted.

RESOLVED that the Council proceed with a comprehensive review of the Local plan in line with the resolution of Torridge District Council to ensure work on a joint Local Plan continued and in doing so recognising:

- (a) The emerging opportunities that a new Local Plan might enable and support in a pro-active way;
- (b) The social, economic and environmental context of those opportunities;
- (c) The ever changing National planning context; and
- (d) The cost implications of NDC pursuing a new Local Plan on their own.

70. PERFORMANCE AND FINANCIAL MANAGEMENT Q2 2023-24

Council considered the Performance and Financial Management report for quarter 2 of 2023-2024 to the Strategy and Resources Committee on 6 November 2023 (circulated previously).

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

Councillor Spear, Chair of the Policy Development Committee presented the Committee's report on the Performance and Financial Management for quarter 2 of 2023-2024 to the Policy Development Committee on 16 November 2023 (circulated previously).

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

Councillor Roome, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee held on 6 November 2023 on the Performance and Financial Management report for quarter 2 of 2023-2024 (circulated previously).

It was moved by Councillor Roome and seconded by Councillor Patrinos "that recommendation 52 (f) of the report of the Strategy and Resources Committee held on 6 November 2023 regarding the Performance and Financial Management report for quarter 2 of 2023-24 be adopted."

RESOLVED that recommendation 52 (f) of the report of the Strategy and Resources Committee held on 6 November 2023 regarding the Performance and Financial Management report for quarter 2 of 2023-24 be adopted.

71. MID YEAR TREASURY MANAGEMENT REPORT 2023/24

Council considered the Mid Year Treasury Management Report for 2023-2024 to the Strategy and Resources Committee on 6 November 2023 (circulated previously).

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

Councillor Spear, Chair of the Policy Development Committee presented the Committee's report on the Mid Year Treasury Management report 2023-2024 to the Policy Development Committee on 16 November 2023 (circulated previously).

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

Councillor Roome, Chair of the Strategy and Resources Committee reported the recommendations of the Strategy and Resources Committee held on 6 November 2023 on the Mid Year Treasury Management report for 2023-2024 (circulated previously).

It was moved by Councillor Roome and seconded by Councillor Maskell "that recommendation 53 of the report of the Strategy and Resources Committee held on 6 November 2023 regarding the Mid Year Treasury Management report for 2023-2024 be adopted."

RESOLVED that recommendation 53 of the report of the Strategy and Resources Committee held on 6 November 2023 regarding the Mid Year Treasury Management report for 2023-2024 be adopted.

72. SCHEME OF MEMBERS ALLOWANCES 2023/24, 2024/25 AND 2025/26

Council considered a report by the Chief Executive (circulated previously) regarding the Scheme of Members Allowances for 2023/24, 2024/25 and 2025/26.

It was moved by Councillor Walker and seconded by Councillor Davies "that the recommendations in the report and option 2 for the setting of the Basic Allowance for 2023/24, 2024/25 and 2025/26 be adopted."

It was moved by Councillor Bushell and seconded by Councillor Jones that a recorded vote be taken. Upon being put to the vote, this motion was lost. Therefore the vote was taken by a show of hands.

RESOLVED that further to the recommendations of the Independent Remuneration Panel as detailed in paragraph 4.31 of the report:

- (a) That the principle aspects to be reflected in setting the level of the Basic Allowance (as set out in paragraphs 15 in the Panel's report as detailed in Appendix A and in paragraph 4.10 of the report) be accepted;
- (b) That the principle of an incremental progression towards a more robust and relevant Basic Allowance be accepted;
- (c) That an alternative recommendation for setting of the Basic Allowance for 2023/24, 2025/26 and 2026/27 be adopted and that it be increased by either

the flat rate recommended by the Panel or the uplift in line with the staff percentage pay award for that financial year, whichever is the higher as follows:

- i. That the Basic Allowance for 2023/24 be set at £5,421 (which includes the flat rate of £250 and equates to 4.8% increase)
 - ii. That the Basic Allowance for 2024/25 be set at £5,421 + the higher of £250 (which equates to 4.6%) or the staff pay %award.
 - iii. That the Basic Allowance for 2025/26 be set at the previous year Basic Allowance for 2024/25 + the higher of £140 or the staff pay %award;
- (d) That the special responsibility allowance for Group Leaders for 2023/24 be calculated on the basis of the table below which also includes the Governance Element of 10% for each Group Leader:

Group Leader	Governance Element (10% BA for each group leader)	30+ members (100% BA)	21-30 members (75% BA)	10 – 20 members (50% BA)	5 – 9 members (25% BA)	2 to 4 members (10% BA)
---------------------	----------------------------------------------------------	----------------------------------	-----------------------------------	-------------------------------------	-----------------------------------	------------------------------------

- (e) That the roles that attract special responsibility allowances and the multiplier of basic allowance remain unaltered for 2023/24;
- (f) That the Travel, Subsistence and Carer’s Allowances, together with the approved duties to which they relate remain unchanged within the scheme;
- (g) That the Council notes the intention of the Independent Remuneration Panel to review the members allowances once the outcome of the 2023 election and any impact on member roles known;
- (h) That the Scheme of Members Allowances for 2023/24 to 2025/26 as shown in Appendix B and C be adopted.

Councillor Patrinos left the meeting.

73. PROPOSED DISSOLUTION OF HEART OF SOUTH WEST JOINT COMMITTEE

Council considered a report by the Chief Executive (circulated previously) regarding the proposed Dissolution of the Heart of South West Joint Committee.

It was moved by Councillor Roome and seconded by Councillor Prowse that the recommendation in the report be adopted.

RESOLVED that the Council serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

74. LEAD MEMBER FOR WASTE AND RECYCLING

Councillor Hunt, Chair passed over to Councillor Walker as the Vice-Chair to Chair for this item only.

It was moved by Councillor Peter Leaver and seconded by Councillor Norman “that Councillor Julie Hunt be appointed as Lead Member for Waste and Recycling to replace Councillor David Knight”.

The Governance Committee was requested to review the procedural matter of how Lead Members could be more accountable in their roles in preparing and presenting committee reports when they were not Members of the Strategy and Resources Committee.

RESOLVED that Councillor Julie Hunt be appointed as Lead Member for Waste and Recycling to replace Councillor David Knight.

75. APPOINTMENTS TO COMMITTEES 2023/24

Council considered changes to appointments of Members to the following Committees for 2023/24:

(a) **Joint Planning Policy Committee**

It was moved by Councillor Roome and seconded by Councillor C. Leaver "that Councillor Helen Walker be appointed to replace Councillor David Knight on the Joint Planning Policy Committee for 2023/24".

RESOLVED that Councillor Helen Walker be appointed to replace Councillor David Knight on the Joint Planning Policy Committee for 2023/24.

(b) **Policy Development Committee**

It was moved by Councillor Roome and seconded by Councillor C. Leaver "that Councillor Peter Leaver be appointed to replace Councillor David Knight on the Policy Development Committee for 2023/24."

RESOLVED that Councillor Peter Leaver be appointed to replace Councillor David Knight on the Policy Development Committee for 2023/24.

(c) **Strategy and Resources Committee**

It was moved by Councillor Roome and seconded by Councillor Davies "that Councillor Caroline Leaver be appointed to replace Councillor Peter Leaver on the Strategy and Resources Committee for 2023/24."

RESOLVED that Councillor Caroline Leaver be appointed to replace Councillor Peter Leaver on the Strategy and Resources Committee for 2023/24.

76. 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) 26 October 2023

(b) **Governance Committee**

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

(i) 25 September 2023

(c) **Harbour Board**

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

(i) 7 November 2023 ((NOTE: Council noted that there was a typographical error in minute 21 and it should state “RESOLVED” rather than “RECOMMENDED”. The minutes would be amended at the next Harbour Board meeting on 6 February 2024)

(d) **Joint Planning Policy Committee**

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

(i) 13 October 2023

(e) **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 September 2023

(f) **Planning Committee**

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

(i) 5 October

(ii) 8 November 2023 (x 2 meetings)

Council noted that Councillor Bulled was not in attendance at the Planning Committee site inspection on 8 November 2023.

(g) **Policy Development Committee**

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

(i) 16 November 2023

(h) **Strategy and Resources Committee**

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

(i) 6 November 2023

- a. Minute 54: Approval and Release of S106 Public Open Space Funds – Chittlehamholt
- b. Minute 55: Licensing Act Policy Review

Chair

The meeting ended at 8.41 pm

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