

NORTH DEVON COUNCIL

Minutes of a meeting of Policy Development Committee held at Barum Room - Brynsworthy on Thursday, 16th May, 2024 at 6.30 pm.

PRESENT: Members:

Councillor L. Spear (Chair)

Councillors Bishop, Bulled, Bushell, Clayton, Jones, P Leaver, Patrinos, Wilson and Williams.

Officers:

Director of Resources and Deputy Chief Executive, Head of Environmental Enhancement, Head of Place, Property and Regeneration, Service Manager (Waste and Recycling), Service Manager (Planning) and Senior Planning Policy Officer.

Also Present in person:

Head of Developer Services and Technical Performance, South West Water (SWW).

7. APOLOGIES

Apologies for absence were received from Councillor Worden.

8. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 11TH APRIL 2024 (ATTACHED).

RESOLVED, that the minutes of the meeting held on 11th April 2024 (circulated previously) be approved as a correct record subject to the following:

- (a) That a follow up letter be sent to the office of the Police and Crime Commissioner regarding additional funding for Street Marshalls as the Committee's original letter, which was sent in March 2023 was not replied to.

The Director of Resources and Deputy Chief Executive advised that there was government funding available to Councils for Antisocial Behaviour (ASB) hotspots and that the Council had been awarded funding for Barnstaple under tier two for an amount of £25,000, which would contribute towards the funding of additional street marshalls for the first nine months of the financial year.

9. ORDER OF AGENDA

The Chair requested that item seven on the agenda be considered prior to item six on the agenda owing to personal reasons for of one of the attendees.

RESOLVED, that item seven on the agenda be considered prior to item six on the agenda.

10. DECLARATIONS OF INTEREST.

There were no declarations of interest announced.

11. PLANNING APPLICATIONS: CONSULTATION PROCESS WITH STAKEHOLDERS FROM WATER COMPANIES.

At its meeting on the 7th March 2024, the Committee were discussing the work programme for 2024/25 and its ongoing work in relation to water quality and resolved to invite the Service Manager to the next meeting of the Committee on 11th April 2024 to discuss the consultation process with stakeholders from water companies in regards to planning applications particularly around developments and the capacity of existing infrastructure for sewage and waste water.

Following the meeting, the Clerk approached the Service Manager who suggested that it would be beneficial to also have a representative in attendance from South West Water (SWW) and so it was agreed that they would attend this meeting together to answer questions from the Committee.

The Chair welcomed officers from the Council together with the Head of Developer Services and Technical Performance, South West Water (SWW) to the Committee.

She invited the Service Manager to address the Committee and explain the consultation process that the planning officers undertook with water companies in relation to proposed developments and the capacity of existing infrastructure for sewage and waste water.

The Service Manager advised that every planning application submitted for new build to the Council had SWW listed as statutory consultee whether that be for one or one hundred dwellings.

Since the end of 2023, the planning team had held regular meetings with SWW to discuss the sewage capacity of the existing infrastructure when an application had been proposed.

She explained that previously responses from SWW were listed on planning application documents as “no objections”. However, she acknowledged that there needed to be further information together with an explanation to show that they had looked at the capacity of the existing infrastructure and explain how they had reached their conclusion.

The Chair invited the Head of Developer Services and Technical Performance, South West Water (SWW) to address the Committee.

The Head of Developer Services and Technical Performance, South West Water (SWW) highlighted the following:

- To put the situation into context, SWW assessed 30,000 planning applications per year, which ranged from small to large scale schemes.
- They used a tool called “Supply and demand” where they entered the details of the planning application and the system then flags up any issues as a result of the proposed application.
- They also used flow monitors to assess the characteristics of rainfall.
- SWW had already held two workshops with North Devon Council and there was a third workshop planned for July 2024.
- There was greater definition and detail contained within the consultation responses for larger applications.

In response to a question regarding how surface water runoff and flood risks were managed and addressed as part of the Local Plan and whether it might be beneficial to undertake a water cycle study to identify specific areas where sewage and waste water infrastructure was under pressure, the Senior Planning Policy Officer advised that the officers were in the early stages of preparing a new Local Plan.

She took the Committee through the process with regards to the preparation of the new joint North Devon and Torridge Local Plan:

- One of the first stages was the preparation of the Housing Economic Land Availability Assessment (HELAA) panel which assessed the suitability of potential sites for housing and economic uses.
- Officers were currently assessing the sites and then sending the information out to the statutory consultees including Devon County Council and SWW.
- The identified sites would then be considered by the recently established HELAA panel, to which all statutory consultees would be invited to attend, and where the proposed sites and any additional information provided by the consultees would be taken into account. The final assessment used a RAG methodology (Red, Amber and Green) depending on any issues which had been identified.
- Following on from the HELAA, a sustainability appraisal would then be prepared as part of the Local Plan evidence base, which would explore the different site alternatives together with the best options for the proposed sites. Based on this and other information including local community preferences, the Council would then decide which sites would be allocated within the Local Plan.
- The draft Local Plan would then be prepared and circulated to the statutory consultees and the wider community for consultation.

She added that the water study was an interesting point, which could potentially be explored as part of the local plan evidence base.

She explained that the Local Plan looked 20+ years ahead and advised that as part of preparing a new local plan, the Joint Planning Policy Committee had established thematic working groups for councillors to explore particular areas such as climate change etc.

In response to a number of questions, the Head of Developer Services and Technical Performance, South West Water (SWW), the Head of Place, Property and Regeneration and Senior Planning Policy Officer advised the following:

- Regarding at what point SWW would change or improve its infrastructure to allow for any proposals as part of the Local Plan, the company now had far more information regarding areas and their existing capacity to enable them to determine any upgrades that would need to be put into place to facilitate identified sites within the Local Plan. This process would involve a timeframe of about 18 months to allow SWW to build any upgrades into their work programme to enable improvements to be made. There was further information available on the SWW web site together with a presentation, which contained additional links that he was happy to share with the Committee following the meeting.
- As a company SWW had an obligation to build in growth for development within its network and the company acknowledged that growth was required.
- With regards to overflow spills into water courses and the potential utilisation of alternative methods such as reed beds or willow plantations, SWW faced big challenges re. discharge and had recently sent their business plan to Ofwat. The government had set a target of 2050 for a reduction of overflow spills and the target set for that by SWW was 2040 as a priority with the current focus being bathing water.
- SWW acknowledged that climate change had a huge impact upon water levels, which had increased significantly following a winter of heavy rainfall, which was preceded by two very dry summers. Investment infrastructure was a key element to address capacity and supply issues.
- With regards to the consultation process in relation to discussions around sewage capacity, there were further high level consultee responses when potential sites had been selected and more detailed conversations were held to ensure that the Council could demonstrate that the proposed sites could be delivered.
- As part of the consultation process the Council had to be dynamic and forward thinking and both North Devon and Torridge District Councils were involved in a recently launched a pilot project, which was being funded by DEFRA called the Devon Resilience Innovation Project (DRIP), which was looking at flooding issues across Devon. The North Devon and Torridge pilot project was to look at preparing polices in relation to Fluvial Change Risk Management Areas, which would look at how activities up stream could be contributing to flooding issues elsewhere and how the local plan could influence those issues and what policies the Council could put in place to address these matters.
- The DRIP project work would be considered through the thematic working group.

- Sites in the new local plan would only be brought forward if they were deemed to be deliverable during the plan period, and any consultation with SWW should be testing that.
- With regards to action that was taken to mitigate issues with a lack of capacity via an alternative means for proposed larger sites, the preparation of the new local plan would include establishing if the existing infrastructure could cope with the growth that was being proposed and if additional infrastructure was required the Council would need to understand how that impacted the viability and delivery of the proposed site and if the infrastructure required was too costly then the site would not be able to be brought forward or be deliverable.
- SWW utilised tankers to remove sludge from sewage treatment works, which was a bi-product of the sewage treatment process. There were occasions where the system or sewage network couldn't cope and there was a potential overflow situation. However, there was capacity within the sewage plants and they were monitored to reduce the risk of an overflow situation.
- As a statutory undertaker SWW's role was to facilitate and understand growth needs of an area and to accommodate those growth needs accordingly.
- As an organisation SWW did not have the power to decline planning applications and always worked closely with developers to address any issues that had been identified as part of the planning application process.

In response to a question regarding the consultation process leading up to the adoption of the future Local Plan and the differences to what has happened in the future compared to what was predicted in the past. The Lead Member for Regeneration, Economic Development and Planning advised the adoption of the new local plan was following a completely different process and that Members should seize the opportunity to be involved in the process through the thematic working groups, which were being established to focus on specific areas of the Local Plan.

He added that as the Chair of the HELAA panel, the next stage was to identify and assess potential new sites to ensure that the Council could secure their five year land supply to avoid the risk of challenge if not delivered. The Local Plan process allowed for local communities to be involved in the site selection process.

The proposed new sites to be included in the local plan would be shared with the communities affected and Members would be encouraged to provide their input into the process.

In response to a question regarding flow information and how it was obtained, the Head of Developer Services and Technical Performance, South West Water (SWW) advised that if SWW did not have the relevant flow information they would install a temporary flow monitor at the site or obtain the required information through connectivity surveys.

In response to a further question regarding that the Council ensured that it kept its five year land supply and what could be done to secure it, the Head of Place, Property and Regeneration advised that this would be addressed as part of the Local Plan review process.

The Head of Developer Services and Technical Performance, South West Water (SWW) welcomed engagement regarding proposed or allocated areas together with the importance of working together to make a difference.

The Director of Resources and Deputy Chief Executive advised that the process had been changed with the introduction of thematic groups to focus on each part of the Local Plan and ensure that all options were considered.

He added that the special meeting held at Petroc was a really good example of the willingness of all partners to work together and that it was important to get the message out around collaboration.

In response to a question regarding the difference between the SHLAA and HELAA processes, the Senior Planning Policy Officer advised that the SHLAA preceded the HELAA as a piece of evidence that fed into the site allocation process.

The Local Plan was not purely for building houses and that the HELAA process also involved the allocation of employment land for consideration as part of the new Local Plan (and the SHLAA did not). The HELAA would be published later in the year.

In response to a question regarding water capture and its utilisation for the supply chain, the Head of Developer Services and Technical Performance, South West Water (SWW) advised that there were two new water resources in Cornwall and that SWW were always looking at additional water resources.

He explained that there was now a greater demand on supply that as a company they wanted to help customers to manage their water usage more efficiently together with also providing additional water supplies. There were currently no plans to increase water supply in the North Devon area as there was no issues with supply at the present time and the problem at Roadford reservoir had been addressed.

He added that if such a situation occurred within the North Devon area then it would be addressed.

The Senior Planning Policy Officer advised that water efficiency matters could be addressed via a policy within the new Local Plan and the Head of Place, Property and Regeneration confirmed that this would be considered as part of the Local Plan review through the thematic groups.

The Service Manager thanked the Head of Developer Services and Technical Performance, South West Water (SWW) for his attendance at the meeting and the strong working relationship that the Council had developed with SWW over the previous 12 months.

The Chair thanked the Service Manager and the Head of Developer Services and Technical Performance, South West Water (SWW) for their attendance at the meeting.

The Committee agreed the following:

- That the positive working relationship between the Council's planning department and SWW with regards to consultation on planning applications be promoted by the Service Manager via the Council's Communications team; and
- That the Service Manager provides feedback to the Planning Committee following her meetings with SWW for any applications which were due to be considered by the Committee.

12. MATERIAL RECOVERY FACILITY IMPROVEMENT WORKS.

At its meeting on 7th March 2024, the Committee resolved to invite the Head of Service for Environmental Enhancement to attend a future meeting of the Policy Development Committee to answer questions in relation to the Waste and Recycling Service.

The Chair welcomed the Head of Environmental Enhancement and the Service Manager (Refuse and Recycling) to the meeting.

The Head of Environmental Enhancement explained that the report which presented the Capital Scheme was considered by Full Council on 27th March 2024 and had generated a really good discussion amongst the members.

He introduced the Service Manager (Refuse and Recycling) to the Committee and explained that he was there to provide an update to the members in relation to the latest position regarding the Brynsworthy Recycling Works project.

The Service Manager (Refuse and Recycling) highlighted the following points to the Committee:

- The two main parts of the project, which were:
 - Part 1 – Capital Building Works.
 - Part 2 – New Baler and Associated Conveyors.
 - Dormouse habitat survey had been undertaken on the site and new dormouse boxes would be placed around the site to replace what was being removed.
- Part 1 – Building Works.

The building works consisted of the following:

- Upgrade of the drainage system (Environment Agency EA requirement).
- A building to cover the glass bay (EA requirement).
- Fire Suppression System in the process hall.
- Bunding around the process hall to retain fire water.
- New modular building for office staff.
- New weighbridge located by the side road.

- Part 2 – New Baler and Associated Conveyors.

This part of the works consisted of the following:

- A New 12 tonne per hour baler.
- Sunken conveyors to reduce manual intervention.
- Advanced optical sorting equipment to separate materials.
- Ability to separate plastic into valuable streams.

- Plans of new building works – Modular Building, which detailed the layout of the new office accommodation for Waste and Recycling office based employees.
- The operations plan, which detailed the new layout of the processing hall.
- Detailed plans for the new baler together with cross section illustrations.

He outlined the challenges that could potentially arise during the building phase of the project, which were as follows:

- Insufficient parking on site at Brynsworthy for office based employees whilst the builders utilised the rear car park.
- Temporary movement of office staff upstairs when the porta cabin was demolished.
- Continued operations with minimal effect on customers.
- Continued operations on site to process material and maintain income generation.

The Chair thanked the Service Manager (Refuse and Recycling) for his presentation.

The Head of Environmental Enhancement advised the following:

- The importance of the installation of the Fire Suppression System in the process hall, which in the event of a fire would prevent water runoff from the site and ensure that the Council did not lose its permit to process recyclable materials.
- The new baler would ensure that the process would be undertaken quickly and efficiently.
- The Council was as well positioned as it could be in terms of the government's policy on simpler recycling.
- The government were also launching a new policy that Councils with refuse collection responsibilities must ensure that they operated a two weekly black bin collection.
- The Council was not in the top quartile for recycling figures but it was still in a good position for a small district Council.
- The deposit return scheme for plastic bottles would be introduced in 2025, which was a concern for the Council as plastic bottles were one of their most valuable income streams and there could potentially be a decline in income for that funding stream. The Council was exploring ways around that with regards to potential contracts that it could apply for to empty the machines.

- With regards to Members being given permission to access the collection database to log missed collections on behalf of their constituents, he confirmed that it would not be possible to give Members access to the system.
- The vehicles now had new Bartec units together with handheld devices and the service had made a few small tweaks to the rounds, as new housing developments are built.
- The website also provided alerts to residents if there were issues within their and updates were provided to keep residents informed.
- Members were reminded to report any missed collections through the Customer Contact Centre.
- Any type of plastic bag could now be utilised within the food caddies and the team would work with the Communications team to promote this to the wider public.
- The Committee members were welcome to visit the newly improved recycling facility once it was up and running.

The Service Manager (Waste and Recycling) advised the following:

- The builders were due to submit plans to the Council within the next few weeks.
- National Grid advised the Council in November 2023 that it did not require any additional works to the processing hall to improve the power supply. However, in March 2024 they advised the Council that it would require a larger substation to facilitate the works. Over the course of several meetings they eventually concluded that the larger sub-station was not in fact required.
- Additional storage would be utilised on site within the food storage shed and the builders had been advised that the processing hall must be kept clear to enable normal operations to continue throughout the build.
- There were currently no plans to increase the types of plastic that could be recycled and at the current time the Council did not collect film, tetra packs or black plastic. That said, the machines that were being installed within the processing hall would be able to be adapted with additional kit should the Council bring on board any additional plastic recycling options in the future as a result of a change to government policy.
- There was currently no space to process food waste at Brynsworthy and the Council were under contract to DCC to process this element of the recycling process.

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

- The new baler would operate at six times the speed of the current baler and produce 12 tonnes of recycling per hour in comparison to the current output of two tonnes per hour.
- The versatility and efficiency of the new baler could enable potential additional income streams in the future.
- The income that the Council received from the sale of recyclable materials was a very volatile market but currently stood at around £600k per year.

- The Council was part of a shared savings scheme through Devon County Council, which returned around £340,000 per year and in addition currently received Recycling credits of £550,000. In total, from all of these income sources, the Council received around £1.5million of income per year.

These income figures could potentially increase in the future through generating an increased volume of material being processed within the service.

RESOLVED:

- a) That monthly updates to be provided to the Committee regarding the number of complaints that were coming in related to missed collections etc;
- b) That the Waste and Recycling team work with the Communications team to promote further communications to advise the wider public that any type of plastic bag could now be utilised within the food caddies; and
- c) That the Committee members be invited to visit the newly improved recycling facility once it was up and running.

The Chair thanked the Head of Environmental Enhancement and the Service Manager (Waste and Recycling) for their attendance at the meeting.

13. WORK PROGRAMME 2024/25.

The Committee considered the work programme for 2024/25 (circulated previously).

The Committee discussed the proposal to potentially change the dates of the scheduled meetings for 2024/25 (circulated previously) following a request from Councillor Jones owing to a clash with his Parish Council meetings.

The Vice Chair advised that he did not have an issue with the proposed changes and felt that it was reasonable to accommodate Councillor Jones's request.

Councillor Jones thanked the Clerk for her work in putting the proposed date changes together.

The Committee discussed the actions and outcomes from the special meeting in relation to water quality in February 2024.

Councillor Jones advised that other Councils had a separate working group purely focussed on improving water quality and suggested that the Committee appoint a Sub-Committee to undertake the external elements of work separately from the work of the main committee.

The Vice Chair advised that the Committee needed to consider the impact upon the officer resources to support a separate sub-committee and that the Committee should instead focus on working more closely with Torridge District Council in a joint capacity.

The Director of Resources and Deputy Chief Executive also advised that the thematic groups which had been established as part of the revision of the Local Plan would cover a lot of the work that the Committee were looking at.

RESOLVED:

- a) That the proposed date changes for 2024/25 be agreed;
- b) That the work programme be noted; and
- c) That clarity in relation to the structure of the thematic groups be provided to the Committee.

Councillor Jones thanked the Committee members for their agreement and support with regards to his request to amend the Committee dates.

Chair

The meeting ended at 8.42 pm

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