

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 5th August, 2019 at 10.00 am

PRESENT: Members:

Councillor

Councillors Barker, Lane, Leaver, Lofthouse, Patrinos, Pearson, Prowse, L. Spear, Wilkinson and Yabsley

Officers:

Chief Executive, Head of Resources, Senior Solicitor/Monitoring Officer, Acting Regeneration Manager, Regeneration Manager, Head of Place, Project and Procurement Officer and Public Protection Manager

Also Present:

Councillors Jenkins, Mack and D. Spear

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Worden.

23. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 1ST JULY 2019 (ATTACHED).

RESOLVED that the minutes of the meeting held on 1st July 2019 (circulated previously) be approved as a correct record and signed by the Chairman.

Further to minute 13 of the meeting held on 1st July 2019, Councillor Prowse reported the receipt of a letter from residents in relation to Batsworthy Cross windfarm. He requested that the residents be advised of the outcome of the last meeting of the Strategy and Resources Committee and that the next update would be provided at the meeting on 7th October 2019.

The Chief Executive advised that all correspondence received to date from the residents had been responded to and that this letter would be responded to.

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

(a) Monitoring Officer

The Chair welcomed Trevor Blatchford who had been recently appointed as the Council's Monitoring Officer to the meeting.

(b) Councillor Ray Jenkins

The Chair welcomed Councillor Jenkins to the meeting.

(c) Memorial for former Councillor David Butt

The Chair advised that a memorial for former Councillor David Butt would be taking place on Wednesday 14th August 2019 at 11.00 am at Pilton's Rotary Gardens whereby a cherry tree would be planted by his family and a seat dedicated in his memory and that all were welcome to attend.

25. DECLARATIONS OF INTERESTS.

There were no declarations of interest announced.

26. CORPORATE PLAN

The Committee considered a report by the Chief Executive (circulated previously) regarding the draft Corporate Plan. A copy of the draft Corporate Plan and Delivery Plan was tabled.

The Chief Executive outlined the draft corporate priorities and delivery plan. He advised that the draft corporate priorities and delivery plan had been formulated by the Corporate Plan Working Group. The delivery plan would be kept under continual review by the Senior Management Team and Councillors and updated regularly. Public consultation commenced on 31st July 2019. Following public consultation, the Working Group would reconsider the Corporate Plan prior to adoption by Council in the autumn.

In response to questions in relation to timescales, the Chief Executive advised that work on some aspects of the delivery plan such as the commercialisation strategy and cross cutting environmental strategy would commence immediately. The carbon reduction plan needed to be in place within six months. Discussions had taken place with other Local Authorities regarding jointly commissioning Exeter University to assist with the carbon reduction plan. The Council was starting to take into account environmental issues such as a review of the Grounds Maintenance Contract. The Corporate Plan would be fed into service planning which would commence in the autumn. Senior Management Team would be considering options for setting up a housing building company, which would be reported to the Committee in due course. The Council would continue to maintain its working relationship with North Devon Homes.

In response to questions, the Head of Resources advised that the revenue budget included provision for temporary accommodation and any savings achieved would be identified. The Head of Environmental Health and Housing would provide an update at a future meeting of the Committee. £1.2m had been originally included within the capital programme for the provision of temporary accommodation. The underspend from 2018/19 was rolled forward to 2019/20. Two two bedroom houses and two three bedroom houses had been procured and it was planned that more houses would be procured. Two of the properties were ready for occupation and two required works and would be ready for occupation shortly.

Councillor Yabsley advised that a reporting mechanism needed to be in place to report any significant issues such as significant changes in building regulations from the Building Control Joint Committee to the Strategy and Resources Committee.

RESOLVED:

- (a) That the content of the report and of the draft Corporate Plan be noted;

RECOMMENDED:

- (b) That the Corporate Plan be approved.

27. PERFORMANCE AND FINANCIAL MANAGEMENT QUARTER 1 OF 2019/20

The Committee considered a report by the Head of Resources (circulated previously) regarding the Performance and Financial Management report for Quarter 1 of 2019/20.

The Head of Resources highlighted the following:

- As at 30 June 2019, the latest forecast net budget is £12.546m, which produced a forecast budget deficit of £0.028m. A small forecast deficit normally occurred during the first quarter as budget holders anticipate spending the whole of their budgets at the commencement of the year and it was anticipated that the deficit would be reduced as we worked through the financial year.
- Appendix A detailed variations in the revenue budget. £20,000 savings had been forecast for temporary accommodation. The Head of Operational Services was currently seeking to reduce the inefficiencies within the service to reduce overheads and costs. The overspend for the Operational Services had been offset by £82,000 savings which had been achieved through Devon County Council as less waste was going to landfill. Planning fee income had reduced which was in line with other Local Authorities.
- At the 30 June 2019 total external borrowing was £1.250m. It was anticipated that this level would remain the same for the foreseeable future.

- Appendix B “Movement in reserves and balances” detailed the movements to and from earmarked reserves in 2019/20. The Council had a strong general fund reserve.
- Appendix C detailed the Strategic Contingency Reserve movements and commitments.
- Appendix D detailed the Capital Programme for 2019/20 to 2021/22. The Leisure Provision at Seven Brethren spend had been re-profiled to 2020/21 and 2021/22 and the Water Sports Centre spend had been re-profiled to 2020/21. The Programme of £29.969m was funded by Capital Receipts / Borrowing (£14.064m), External Grants and Contributions (£13.530m) and Reserves (£2.375m).
- Treasury Management as detailed in paragraph 4.5 of the report. The return earned on the Council's investments was 0.65% which was higher than the previous year of 0.44%.
- Debt Management as detailed in paragraph 4.6 and General Debtors as detailed in paragraph 4.7 of the report.
- Appendix E detailed performance information.

In response to questions, the Head of Resources advised:

- The forecast for the reduction in planning fee income was for the whole of the financial year.
- There was additional employee costs within Operational Services due to missed collections and the payment of overtime and agency staff.
- In relation to Unit 1b at Seven Brethren, it was anticipated that the completion would take place very shortly.
- The level of Council Tax and Business Rates collected were low in Quarter 1 as payments were made over a 10-12 month period. This level would increase throughout the remainder of the year.
- The Council's budget was based on the assumption that eventually 97.5% of Council Tax sums due would be collected which was in line with other Local Authorities. The Council actively pursued the outstanding debts and write offs were always less than 1%.
- The figures for the collection of recycling had been sent to Devon County Council. The final collection rate for 2018/19 would be confirmed shortly once the figures had been audited by Devon County Council.
- The vacant posts within the Planning service were currently being filled.

The Head of Place confirmed that there had been a number of vacancies within the team for a sustained period. All posts had now been filled and the team would be fully staffed within the next couple of months.

In response to questions, the Chief Executive advised:

- It had been identified that there was a high level of missed waste and recycling collections which was not acceptable. This had a financial impact and had resulted in the receipt of more complaints. A review of the missed collections would commence in September 2019 to identify the reasons why collections were being missed and address them.

- If the three weekly collection of residual waste was rolled out, then additional resources would be put in place to work with communities.
- A report would be presented to the Committee in the autumn regarding the options for the waste and recycling service. Works on the replacement of the process hall infrastructure had been slightly delayed due to the two fires which had occurred recently. As a result of the fires, an emergency meeting of the Senior Management Team had been convened and a number of actions had been agreed. As a result all recyclable plastics would temporarily be stored outside and not in the processing hall, the collection of batteries had been stopped, rubberised buckets were now used and a new alarm system would be installed. The fires had also exposed old infrastructure from the previous meat factory located on the site. Once works had been completed, the process hall would be back in operation.
- Citizens were required to set up accounts when paying online, so that the Council could collect money through the website.

RESOLVED:

- (a) That the actions being taken to ensure that performance is at the desired level be noted;
- (b) That the contributions to/from earmarked reserves be approved as detailed in paragraph 4.2 of the report;
- (c) That the movements on the Strategic Contingency Reserve as detailed in paragraph 4.3 be noted;
- (d) That funds be released for the capital schemes listed in paragraph 4.4.11 of the report;
- (e) That the sections dealing with Treasury Management (paragraph 4.5), and Debt Management (paragraph 4.6 and 4.7) be noted.

RECOMMENDED:

- (f) That Council approve the variations to the Capital Programme 2019/20 to 2021/22 (paragraphs 4.4.3)

28. LAND RELEASE FUND PROJECT UPDATE: SEVEN BRETHREN REGENERATION

The Committee considered a report by the Head of Place (circulated previously) regarding the Land Release Fund Project update on Seven Brethren Regeneration.

The Regeneration Manager highlighted the following:

- In November 2017 North Devon Council were awarded £2.2 million of Land Release Fund to bring forward 245 residential units at Seven Brethren, Barnstaple. £1 million was secured towards junction improvements and £1.2 million towards delivering flood defences/raising of site levels. £1,200,000 had

been received and the remaining monies would be paid in a further tranche over the next 12 months providing the project is progressing as set out in the original bid (or amended as agreed).

- The Land Release Fund was a Government initiative to assist in unlocking sites and accelerating the delivery of housing. The Fund expects this land to be released for housing no later than March 2020. It had since been acknowledged by the Local Government Association (LGA) that this could be extended until December 2020.
- The Land Release Fund was provided on the basis of the release of 3.6 hectares of land for housing; namely the site of the existing leisure centre, the short stay car park, long stay car park, any events area not within the required land for the new leisure centre and the current toleration site, to provide 245 homes.
- A member briefing and public consultation event was held on Thursday 11th July 2019. The information has been made available online and the consultation ended on 26th July 2019. A briefing had also been provided to Barnstaple Town Council. A high level report from the consultation findings had now been received and would be circulated separately.
- The Environmental Impact Assessment was near completion.
- The planning application would be submitted in September 2019 which would be a hybrid planning application where the scheme will be in outline save the provision of the new long stay car park, which would be a detailed part of the application.
- Land had to be released for development by December 2020, although the LGA were aware that the site of the current leisure centre and associated short stay car park could not be released until the new leisure centre was open, and have indicated that a phased approach is acceptable.
- Two meetings had been held with both Barnstaple Town Council and the Showman's Guild and they have taken options away to discuss with their membership. Work was being undertaken with the ecologist to establish the maximum size of the site.
- The public consultation panels showed a temporary toleration site to the rear of the proposed new long stay car park. The Head of Place had set up a project team to start looking at a long term solution for travellers and they have had their first meeting.
- Hydrock consultants were preparing a Transport assessment for this project. The Council was working with them, DCC, Highways and LHC urban designers to understand what highway improvements were necessary for this project and what place making opportunities there were, particularly at the junction of the Long Bridge which would link the new riverside walk/cycleway with that within the Anchorwood Bank site.
- Working continues with consultants and internal officers to understand the effects of this scheme on flooding, ecology, trees, drainage, heritage and contamination and any required mitigation.

In response to questions, the Regeneration Manager confirmed that there would be no reduction in the level of car parking during the replacement of the long stay car parking. The next key milestone was the deadline for the receipt of formal tenders at the end of October 2019.

RESOLVED that the content of the report be noted.

29. BARNSTAPLE VISION

The Committee considered a report by the Head of Place (circulated previously) regarding Barnstaple Vision.

The Economic Growth Manager highlighted the following:

- Lavigne Lonsdale had been appointed to prepare a Vision for Barnstaple, and have completed Phase 1 of the work, involving a benchmarking exercise pulling together the existing work within the town and their immediate thoughts.
- This initial piece of work was appended to the report and was a working document which would be finalised following consultation and engagement with stakeholders and the wider community.
- Procurement of Phase 2/3 would now start, to cover consultation and engagement with stakeholders and with the wider community.
- Discussions were taking place with Barnstaple Town Council to include consultation on their proposed Neighbourhood Plan within Phase 3 of the project.
- A Strategic Programme Board would be set up to manage the project working with partner organisations.

In response to questions, the Economic Growth Manager confirmed that Barnstaple Town Centre Management were engaged in the project and that she would be attending a meeting tonight to provide an update. The Clerk to Barnstaple Town Council and Barnstaple Town Centre Manager were part of the Programme Board. Existing reports had been taken in to consideration and the budget of £40,000 was realistic for phases 2/3 of the project.

In response to a question, the Head of Place advised that Neighbourhood Plans would be subject to the same statutory processes as the Local Plan and would have the same status.

In response to a question, the Economic Regeneration Manager advised that an update would be provided to the Committee in relation to the Hydrock car parking strategy report.

RESOLVED:

- (a) That the progress on the preparation of a future Vision for Barnstaple be noted;
- (b) That a budget of up to £40,000 to be funded from the Economic Development earmarked reserve be approved.

30. PROPOSED AMENDMENTS TO DANGEROUS WILD ANIMAL AND ZOO LICENSING FEES

The Committee considered a report by the Public Protection Manager (circulated previously) regarding proposed amendments to Dangerous Wild Animal and Zoo Licensing fees.

The Public Protection Manager highlighted the following:

- Recent legislative changes surrounding animal welfare licensing had created a position whereby there was a lack of consistency surrounding the way the Council's animal licensing fees were calculated, and in respect of the level of fee income recovered.
- Fees approved under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 were now comparatively high compared to the fees set under the Zoo Licensing Act 1981 and Dangerous Wild Animals Act 1976, which were part of the regime imposed by the 2018 regulations.
- The Council was not in a position to achieve a satisfactory level of cost recovery for licences issued under the Zoo Licensing Act 1981 and the Dangerous Wild Animals Act 1976, to the point where the tax payer was currently subsidising this regime.
- The Council currently licensed three zoos. There were no licences in relation to the keeping of dangerous wild animals.
- Calculations in respect of keeping dangerous wild animals were detailed in Appendix B.
- Appendix A detailed the fees proposed.
- The structure of the fees currently in place did not reflect the recent case of *Hemmings v Westminster City Council*. It was recommended that there was a new Part A and B fee breakdown.
- Despite consultation being undertaken by way of the Council's Consultation Finder on its website, and additionally through written correspondence to the three zoos within the district no representations have been made.

RECOMMENDED that following the recommendation made by Licensing and Community Safety Committee during their meeting of the 18 June 2019 *"that following the consideration of the draft fees for zoo licences and licences for keeping dangerous wild animals, which had undergone a period of consultation and for which no representations had been received, the Strategy and Resources Committee amend the fees in line with the proposals set out in appendix A of the report"* that the fees identified in appendix A be approved with immediate effect.

31. APPROVAL AND RELEASE OF SECTION 106 FUNDS - BRAUNTON BMX TRACK, BRAUNTON

The Committee considered a report by the Project, Procurement and Open Space Officer (circulated previously) regarding an update on the Branton BMX track and request for approval and release of section 106 funds.

The Project, Procurement and Open Space Officer highlighted the following:

- In March 2019, the former Executive resolved to accept the freehold transfer of land at Velator, to the Council, at nil value, to create a BMX track.
- Since March, Officers have prepared a specification and tendered the design and construction of the BMX track, with tenders being returned in June. The contractor was now in place and ready to commence works.
- Simultaneously, Legal Services had been instructed to undertake the legal transfer. During this process, a restriction on title was found, which states no transfer or assent can be registered without the consent of the former landowner (the owner prior to the BMX Trustees). A meeting had now been held with the former landowner to try to resolve the issue. If the previous owner did not provide consent for the freehold transfer, then it was recommended taking a 999 year lease of the land at Velator from the Trustees of Branton BMX club.

RESOLVED:

- (a) That a further £17,648.49 be allocated towards creation of Branton BMX track, landscaping, fencing and any further ancillary works;
- (b) That taking a 999 year lease of the land at Velator from the Trustees of Branton BMX be approved, in the event the former owner does not provide consent for the freehold transfer;

RECOMMENDED:

- (c) That the capital programme be varied by £17,648.49 and that funds be released.

Chairman

The meeting ended at 11.32 am

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