

NORTH DEVON COUNCIL

Minutes of a meeting of Strategy and Resources Committee held at Barum Room - Brynsworthy on Monday, 2nd March, 2020 at 10.00 am

PRESENT: Members:

Councillor Worden (Chair)

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

Officers:

Chief Executive, Head of Resources, Senior Solicitor/Monitoring Officer, Community Protection Officer, Contracts Delivery Manager, Parking Manager and Parks, Leisure and Culture Officer

Also Present:

Councillors Biederman, D. Spear and Tucker

106. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

107. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 3RD FEBRUARY 2020 (ATTACHED).

RESOLVED that the minutes of the meeting held on 3rd February 2020 (circulated previously) be approved as a correct record and signed by the Chair.

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

(a) Coronavirus Update

The Chief Executive provided the Committee with an update on the actions that the Council were taking in light of the Coronavirus. He advised that Senior Management Team would be receiving an update later today from the Local Resilience Forum Strategic Command Group. All Heads of Service had been requested to review their business resumption plan on the basis that some members of staff would be unable to work. The Corporate Risk Register had been reviewed and an item had been included for a pandemic. Laptops had been rolled out to a number of employees, however there was currently insufficient band width to enable all of those employees to work from home. Waste and Recycling service collection rounds would be

reviewed and prioritised if there was a reduction in staff. Councillors would be provided with updates if the situation changed.

109. DECLARATIONS OF INTERESTS.

The following declarations of interest were announced:

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| Councillor Lane | Item 14: Personal interest as a builder and developer |
| Councillor Leaver | Item 8: Personal interest as a trustee of a charity which received Rate Relief (Encompass South West) |
| Councillor Lofthouse | Item 8: Personal interest as a trustee of the Bridge Trust and uncle to owners of a Licensed Premises in High Street (Latitude 48) |
| | Item 14: Personal interest as Trustee of the Bridge Trust |

110. EXTENSION OF ENFORCEMENT AGENCIES CONTRACT

The Committee considered a joint report by the Car Parks Manager and Revenues and Benefits Manager (circulated previously) regarding the extension of the current enforcement agents contracts for a further year until 31st March 2020.

The Car Parks Manager highlighted the following:

- The current contracts for the recovery of debts via enforcement agents ended on 31st March 2020.
- A Devon wide framework was set up to procure two providers for this contract. This procurement resulted in three suppliers being appointed which was not considered to be practical for the council. A decision was made to withdraw from this framework and consider alternative options. Due to the lateness of the above Devon procurement exercise not concluding until December 2019, there was insufficient time or resources to undertake a full procurement at this time and the existing contracts had already been extended as far as was allowed pursuant to the current wording of the contracts.

In response to questions, the Car Parks Manager advised the following:

- The Revenues and Benefits team used the contractor more and were satisfied with the contract being extended.
- The Council had made the decision to withdraw from the Devon wide framework as the splitting of the workload between three suppliers would not allow for the same coverage and effectiveness for the delivery of the service.

RESOLVED:

- (a) That the current enforcement agents contracts be extended for a further year until 31st March 2021 and that Officers undertake a procurement exercise to appoint new contracts from 1st April 2021;
- (b) That the requirement to tender in accordance with paragraph 4.3(b) of the Contract Procedure Rules in Part 4 of the Constitution be set aside in order to allow for this extension, beyond the agreed terms of the contracts as currently worded.

111. EXTENSION OF LEASES AND MANAGEMENT AGREEMENTS FOR THE LEISURE FACILITIES

The Committee considered a report by the Parks, Leisure and Culture Officer (circulated previously) regarding the extension of the current Leisure Centre contract.

The Parks, Leisure and Culture Officer highlighted the following:

- The current leases and management agreements for the three Council owned leisure facilities end at midnight on 2 May 2020.
- Parkwood Leisure have won the competitive tender to build and operate the new leisure centre which was anticipated to be open on 1 February 2022.

RESOLVED:

- (a) That the Contract Procedure Rule be waived in line with (Part 4) 4.3(b) of the constitution;
- (b) That the current Leisure Contract be extended until the end of 31 January 2022 and the Council continue to contract with Parkwood Leisure.

112. BUSINESS RATES RELIEF

Councillor Prowse declared a personal interest as a Chair of Bratton Fleming Sports Club.

The Committee considered a report by the Head of Resources (circulated previously) regarding Business Rates Relief.

The Head of Resources highlighted the following:

- On 27 January 2020 the Financial Secretary to the Treasury made a Written Ministerial Statement announcing additional business rate measures that will apply from 1 April 2020. The report sought approval to incorporate these new measures in our Discretionary Business Rate Relief scheme from that date. These measures included: Retail Discount, Local Newspaper Relief; and Pubs Discount.
- The existing policy for the granting of Discretionary Non-Domestic Rates Relief, as previously approved in October 2017 and amended in April 2019, had been amended to incorporate these measures announced in the Written

Ministerial Statement as detailed in Appendix A and no other changes have been made.

- The Discretionary Business Rate Relief Scheme should be cost neutral and the Government would only reimburse the local authority up to the annual limit set.

It was noted that there was a typographical error contained in paragraph 1.2 of the report and it should have stated "...with effect from 1 April 2018".

RESOLVED that revised policy for the granting of Discretionary Non-Domestic Rates Relief, to include the additional business rate measures as announced by the Financial Secretary to the Treasury as outlined in Appendix A, with effect from 1 April 2020 be adopted.

113. RURAL SETTLEMENT LIST

The Committee considered a report by the Head of Resources (circulated previously) regarding the Rural Settlement List.

The Head of Resources highlighted the following:

- To be eligible for Rural Rate Relief the business must be located in a qualifying rural settlement, which had a population of no more than 3,000 and falls wholly or partly in an area designated for the purpose of the Rural Rate Relief Scheme. The Authority was required to compile a list for the purpose of this scheme.
- The Rural Rate Relief Scheme helped qualifying small general stores, post offices, food shops, public houses and petrol stations. It was intended to safeguard rural communities and preserve the future of village life by supporting the service they provide to local people.
- The appendix to the report listed the qualifying Rural Settlements with a population of fewer than 3,000. This list remained unchanged for many years.

RESOLVED that for the purposes of Rural Rate Relief the rural settlements listed in the appendix to the report be approved.

114. PUBLIC SPACES PROTECTION ORDERS

The Committee considered a report by the Community Protection Officer (circulated previously) regarding consultation exercise to be undertaken on proposals for Public Spaces Protection Orders (PSPO).

The Community Protection Officer highlighted the following:

- The Anti-Social Behaviour Crime and Policing Act 2014 gave Local Authorities and the Police more effective powers to deal with Anti-Social Behaviour. Under this Act, the Council had additional powers available to address Anti-Social Behaviour associated with street based behaviour.

- It was proposed that six towns and villages across North Devon would have areas covered by PSPOs namely: Barnstaple, Ilfracombe, Braunton, Croyde, Woolacombe and Combe Martin.
- The proposed restriction of areas in Barnstaple and Ilfracombe would apply at all times.
- The proposed restrictions in Braunton, Croyde, Combe Martin and Woolacombe would apply between 1 April and 30 September of each year.
- The proposed restrictions detailed in paragraph 4.7 of the report.
- The results of the consultation would be presented to the Committee and then Council in October 2020 for consideration. Subject to approval, the PSPO would then be enacted.

In response to questions, the Community Protection Officer advised the following:

- The Council had been made aware of the level of concern of some aspects of the community in relation to behaviour by the Police. The proposed restrictions in Braunton, Croyde, Combe Martin and Woolacombe were for the summer months. There were not a particular problem with drinking and public urination in Braunton, however it was anticipated that the area would become busier during the summer months and it had been considered appropriate to apply the restrictions to Braunton as it was a tourist destination and was located close to the coastal towns.
- The proposed restrictions would not prevent social drinking on the beach. It would only be in cases where the Police had been contacted regarding anti-social behaviour.
- South Molton had been considered however neither the Police or Environmental Health had provided any evidence regarding anti-social behaviour.
- The Government was currently undertaking consultation on the Vagrancy Act. The term “aggressive begging” was used in relation to begging taking place when someone was vulnerable and paying for items such as a car parking ticket.
- Consultation had already taken place with the Police and local homelessness support charities. However, it was anticipated that a formal response would be received as part of the consultation process.
- The Parish and Town Councils of the identified areas would be consulted as part of the consultation process.
- The PSPO would enable police officers to deal with issues of anti-social behaviour quickly.
- An explanation of terminology used would accompany the consultation questions.
- That the consultation would also include reference to the services provided by the Council to homeless and vulnerable people.

Councillor Wilkinson requested that the issue of traders setting up stalls on pavements in coastal areas be investigated further with a view to actions that could be taken.

The Committee requested that a briefing be provided prior to a meeting of Council regarding the role of the Community Safety Partnership.

RESOLVED that the draft consultation exercise to be undertaken on the proposals identified in Paragraph 4.7, as outlined in appendix A be approved.

115. APPROVAL AND RELEASE OF SECTION 106 FUNDS, KINGS NYMPTON

The Committee considered a report by the Project, Procurement and Open Space Officer (circulated previously) regarding the allocation of section 106 public open space funds in Kings Nympton.

RESOLVED:

- (a) That £9,000 be allocated to Kings Nympton Parish Hall towards the refurbishment of the kitchen within the Parish Hall;
- (b) That £1,050 be allocated to Kings Nympton Parish Council towards the creation of a footpath within Kings Nympton Playing Field;

RECOMMENDED:

- (c) That Council vary the capital programme by £10,050 and that funds be released, subject to a Funding Agreement upon such terms and conditions as may be agreed by the Senior Solicitor, for external projects.

116. URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE

(a) **Mid Devon Local Plan Review Proposed Main Modifications**

The Committee noted the urgent decision that had been made by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (circulated previously) regarding the submission of a formal response to Mid Devon Local Plan Review Proposed Main Modifications.

It was noted that the template for urgent decisions taken by the Chief Executive needed to be updated.

(b) **Rough Sleeping Grant**

The Committee noted the urgent decision that had been made by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (circulated previously) regarding tendering for the continuation of funding for Housing First and Housing First Accommodation via Encompass

Southwest utilising the Rough Sleeping Grant.

In response to a question, the Chief Executive advised that this urgent decision had been taken as there was a deadline to spend the first tranche of the funding awarded by the Government.

The Head of Resources advised that a schedule of projects including costs had been submitted as part of the bid for funding from the Rough Sleepers Initiative.

(c) **Rough Sleeping Grant**

The Committee noted the urgent decision that had been made by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (circulated previously) regarding tendering for Outreach Navigators via the Freedom Community Alliance utilising the Rough Sleeping Grant.

(d) **Rough Sleeping Grant**

The Committee noted the urgent decision that had been made by the Chief Executive in accordance with paragraph 3.48, Annexe 2, Part 3 of the Constitution (circulated previously) regarding tendering for a Community Psychiatric Nurse via Mental Health Services utilising the Rough Sleeping Grant.

117. EXCLUSION OF PUBLIC AND PRESS AND RESTRICTION OF DOCUMENTS

RESOLVED:

(a) That, under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item as it involved the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A of the Act (as amended from time to time), namely information relating to the financial or business affairs of any particular person (including the authority holding that information);

(b) That all documents and reports relating to the item be confirmed as “Not for Publication”.

118. ACQUISITION OF CORPORATE PROPERTY

The Committee considered a joint report by the Head of Place and Head of Resources (circulated previously) regarding the acquisition of corporate property.

RESOLVED:

(a) That authority be delegated to the Head of Resources to agree terms with the vendor to acquire this property;

RECOMMENDED:

- (b) That Council vary the capital programme by up to a maximum of £250,000 and that funds be released.

Chair

The meeting ended at 11.07 am

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