

**NORTH DEVON COUNCIL**

Minutes of a meeting of Strategy and Resources Committee held at Virtual - online meeting on Monday, 1st June, 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, Lead Officer - Planning Policy, Senior Solicitor/Monitoring Officer, Service Lead - Environmental Protection, Head of Environmental Health and Housing, Head of Place and Project and Procurement Officer

Also Present:

Councillors Biederman, Davies, Gubb, Orange, Saxby, D. Spear and Tucker

**132. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE**

The Chair outlined the virtual meetings procedure and etiquette to the Committee and public in attendance.

**133. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

**134. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 4 MAY 2020 (ATTACHED).**

RESOLVED that the minutes of the meeting held on 4 May 2020 (circulated previously) be approved as a correct record and signed by the Chair.

**135. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY.**

(a) Council's Financial Position

The Head of Resources advised the Committee that he was required to provide Government with a monthly update financial return indicating the loss of income and identifying additional costs as a result of Covid-19. Government assumed on their

return template that Local Authorities would return to normal after July however, the Head of Resources outlined it was not expected that the levels of income would return to normal then due to the economy taking longer to recover. The latest forecast projected was a potential loss of income of around £3.4m due to a reduction in fees and charges and a forecast reduction in collection of council tax and business rates. There were additional costs in housing the homeless, employing agency staff in Waste and Recycling to ensure rounds were completed and to shield the vulnerable totalling around £600,000. The Government had provided £1.018m in support, which was not enough to compensate for the predicted shortfall of £2.9m. The Council had unallocated reserves of £1.2m which was nowhere near enough to cover the losses. If the Council used the allocated earmarked reserves, this would have an impact on the capital replacement of vehicles and improvements to ICT infrastructure and result in additional implications for the Council as there would be a need to have to borrow more funds to cover this if the reserves were not available any more. Unless the Government provided more financial support, then a Section 114 notice would need to be considered which would result in spending only on the essential services and to bridge the gap the Council may need to look at the services that could be cut back on.

Selaine Saxby MP for North Devon addressed the Committee. She advised that Robert Jenrick, Secretary of State for Housing Communities and Local Government was aware of the problem Councils face and believed support would be coming. She advised that as lockdown was being eased that where possible the Council needed to generate income such as opening car parks which showed that that the Council was doing all it could and not just asking for help. The Government would produce briefing sheets for Districts and Parish Councils on issues such as PPE for cleaning of toilets. Shops were expected to start opening on 15 June 2020. Overnight accommodation was due to restart in July and that there may be a chance that the use of second homes may be earlier, however she was pushing against this proposal. The Tourism Industry had requested three weeks notice prior to the re-opening of overnight accommodation. The “R” (reproduction number) for North Devon was currently 0.8 and was high due to Care Homes. Plymouth was higher at 0.9 due to a higher density of population. Social distancing was crucial in bringing the “R” number down. Schools were doing a fantastic job in getting children back to school.

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

- The level of recycling had increased for the months of April and May.
- In relation to the re-opening of High Streets, the Government had issued guidance regarding the re-opening of public toilets and requirement for PPE. The Council had a role as an employer and to protect staff and members of the public. He was comfortable with the level of PPE required and the Council kept up to date with the latest Government guidance.
- Public conveniences in coastal areas had been re-opened. The Council needed to employ additional staff prior to opening further toilets.

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

- Although the volume of collection of recyclable materials had increased, the forecast for the sale of recyclable materials income was lower than when the budget had been set due to a reduction in material prices.
- Trade waste income was lower than forecast, but it was anticipated that it would start to recover as shops and businesses start to re-open.
- Other Councils were all in the same financial position. The Government had advised that there would be further tranches of funding, however the funding granted of £1m to-date was not sufficient to cover the forecast losses. Unless there was some certainty of funding in the very near future or that the levels of income start to recover, then he would consider looking to issue the Section 114 notice by the end of July 2020.
- There was no current risk of the Council not being able to pay employees. However there was a need to address the funding shortfall and bridge the funding gap and potentially review non-essential expenditure moving forwards.

**136. DECLARATIONS OF INTERESTS.**

There were no declarations of interest received.

**137. PUBLIC SPACES PROTECTION ORDERS DOG CONTROL**

The Committee considered a joint report by Environmental Protection Lead and Senior Solicitor (circulated previously) regarding undertaking a consultation exercise on setting up Public Spaces Protection Orders relating to dog controls.

The Environmental Protection Service Lead highlighted the following:

- The Council had received sufficient evidence in relation to anti social behaviour associated with dog fouling and control.
- It was proposed that a consultation exercise be undertaken for a period of 8 weeks which contained measures to enable certain restrictions and obligations to be imposed to help correct behaviour associated with irresponsible dog ownership.
- Following consultation, the proposals would be reviewed and presented to the Committee for consideration in October 2020.

In response to questions, the Environmental Protection Service Lead advised that the Tarka Trail was included within the consultation.

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

- The dates of the consultation period as detailed in paragraph 4.5 of the report would be confirmed.
- The first version of the consultation document had been circulated to Members in February 2020 and the responses received had been included within the report presented to the Committee on 4 May 2020. Following the meeting on 4 May 2020, a Member working group had been held which

included representatives from each political party and those Members who represented coastal areas. The outcomes of working party had been incorporated within the consultation document appended to the report.

- Concern was expressed regarding the proposal to defer consideration of the consultation document as a working party had already been held and delaying the consultation would put officers under pressure as the Council was awaiting confirmation regarding officers role in the Track and Trace system.
- In accordance with the Anti-Social Behaviour, Crime and Policing Act 2014, the Council had to provide evidence of anti-social behaviour before implementing a public space protection order. Evidence had been provided by the Council's Environmental Protection Wardens.
- The Communications Team would be involved in publicising the consultation

In response to a question, the Head of Environmental Health and Housing advised that the impact of dog fouling on water quality was outside of the scope of a public spaces protection order.

RESOLVED that the vote be taken by a recorded vote.

RESOLVED that the Head of Service (Environmental Health and Housing) be authorised to undertake a consultation exercise using the proposals set out in Appendix A of the report subject to the following:

- (a) That reference to the significant and positive public health, social and economic benefits of dog ownership be included within the introduction of the consultation document;
- (b) That the introduction to the consultation document as detailed on page 21 of the report be amended to move the 5<sup>th</sup> paragraph "The Council wants to look closely at the need for any controls....." to near the beginning of the introduction;
- (c) That the numbering of the question on page 28 of the report be amended from "6" to "12";
- (d) That the length of the consultation period as detailed in schedule of dates in paragraph 4.5 of the report be confirmed and amended accordingly for either 8 or 9 weeks.

Voting for the motion:

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

Voting against the motion:

Nil.

Abstained from voting:

Councillor Leaver

Totals: 10 For, 0 Against and 1 abstained

**138. DEVON DISTRICTS PROCUREMENT STRATEGY**

The Committee considered a report by the Project, Procurement and Open Space Officer (circulated previously) regarding the adoption of the Devon Districts Procurement Strategy.

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

- The Devon Districts Procurement Authorities have been working collaboratively to draft the third iteration of a joint Devon Districts Procurement Strategy.
- The Strategy sought to align with the identified themes of the National Procurement Strategy as detailed in paragraph 4.4 of the report.
- The action plan in the strategy (page 47) set out the outcome and action identified for each key theme and it was the responsibility of each District Council to monitor and provide a response for each action.

In response to questions, the Project, Procurement and Open Space Officer advised the following:

- That the community and voluntary sector could be included within each action.
- The sustainable matrix used for procurement could also include climate change and carbon reduction.
- No changes had been made to the timescales for procurement and the Constitution had not been changed. The Strategy just allowed for due consideration to be given.

RESOLVED that the Devon District Procurement Strategy 2019-2022 be adopted.

**139. DEVON HOME CHOICE AND LOCAL LETTINGS POLICIES**

The Committee considered a report by the Senior Housing Needs Officer (circulated previously) regarding obtaining delegated authority for officers to agree Local Lettings Policies in accordance with the Devon Home Choice Policy and Procedures.

The Chief Executive advised that the Committee did not have delegated authority to take the decision as it was a permanent change to officers delegations and therefore a recommendation would need to be made to Council.

RECOMMENDED that delegated authority to the Head of Environmental Health and Housing Services be approved to agree Local Lettings Policies with Registered Providers, as set out and in accordance with Devon Home Choice Policy and Procedures.

**140. GLASS COLLECTION AND RECYCLING**

The Committee considered a report by the Chief Executive (circulated previously) regarding the roll out of a separate glass container receptacle across the District for glass collection.

The Chief Executive highlighted the following:

- As part of the ongoing review of processes within the Council, a review of the issues around missed collections had been undertaken. The review involved engaging with employees directly providing the service to ascertain what changes they thought could be introduced to reduce missed collections.
- One idea raised was to try to encourage the public to separate glass from plastic and tins. It was felt that this would speed up the efficiency of the rounds and would also cut down on injuries to the workforce caused by broken glass.
- A trial had recently been undertaken in Yelland prior to lockdown where two boxes had been issued for glass and one for plastic and tins. Employees had advised that this had saved time.
- Previously a trial was also undertaken using hessian sacks which was popular with the public but did not speed up rounds as they could not use the bags to push the recycling into the stillage.
- Following lockdown and the Council providing a community response, the Council had ceased receiving missed collections via the telephone.
- During the lockdown the recycling service had run well and the public had been encouraged to separate their glass using their own separate container. Approximately 10-15% of households now separated glass.
- The costs of rolling out additional boxes to the District were estimated to be £80,000 and that a 15% contingency be allowed as detailed in paragraph 4.12 of the report.

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

- That the proposed boxes for the collection of glass materials were blue and smaller and could sit inside the existing large plastic box.
- It was difficult to quantify how much financially the Council would save, however it was anticipated that the amount of overtime claimed by employees would reduce and that the efficiency and capacity of the service would improve.
- The Council could send out communications to advise that a separate box would be provided for the collection of glass and to contact the Council if they would prefer to use their own receptacle. It would not be an opt in service.
- It was unlikely that the percentage of households currently separating glass would increase without the Council providing separate receptacles.
- There was an approximately 8 week period for the procurement of the additional boxes.
- 40,000 boxes would be procured. It was not anticipated that every household would be provided with an additional box, as some households would use

their own receptacles. This would provide spare boxes which the Council could provide to households in new housing developments and for when replacements were required.

- If the Council went out to tender to procure the additional boxes rather than the recommended route in the report, it would cost an additional 35p for each box.

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

- The last quarterly financial monitoring report presented to the Committee highlighted that a significant amount of overtime had been paid to enable rounds to be completed. This proposed change would enable the crews to complete rounds quicker and therefore a reduction in the overtime. It would also enable the processing hall to manage the collected recycling materials quicker.
- This would create capacity for the teams to take on additional rounds for new housing developments moving forwards.
- The employment of additional employees if we had to put further rounds on would have an impact on revenue. This was an investment to save revenue costs in the long term.
- 15% contingency had been included to allow for any price increases on the boxes. The budget cost would be funded from the Strategic Contingency Reserve.

RESOLVED:

- (a) That the roll out of a separate glass container receptacle across the District and a revenue budget of £92,000 to be funded from the Strategic Contingency Reserve be approved;
- (b) That the Council's Contract Procedure rules to allow a direct award if financially beneficial be approved.

#### **141. AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report by the Head of Place (circulated previously) regarding the adoption of an amended Air Quality Supplementary Planning Document (SPD).

The Lead Officer (Planning Policy) highlighted the following:

- Summary of responses received to the draft Air Quality SPD as detailed in Appendix A.
- Amended version of the SPD incorporating the proposed amendments as detailed in Appendix B.
- The main issues raised as part of the consultation as detailed in paragraph 4.4 of the report.

- The Air Quality SPD would also need to be formally adopted by Torridge District Council.

In response to a question, the Lead Officer (Planning Officer) advised that he was unable to confirm a date when Torridge District Council would consider the adoption of the SPD. However, he would confirm the date following the meeting.

The Committee noted a typographical error contained on page 84, paragraph 2.5 (2) and should have stated “Development will be supported where it does **not** result.....”.

RESOLVED that the amended Air Quality SPD as set out in Appendix B be formally adopted as a supplementary planning document and be treated as a material consideration in determining relevant planning applications subject to paragraph 2.5 (2) on page 84 being amended to “Development will be supported where it does **not** result.....” ..

**142. COASTAL CONCORDAT**

The Committee considered a report by the Head of Place (circulated previously) regarding the signing of a new Coastal Concordat with the Department for Environment Food and Rural Affairs (Defra).

RESOLVED that the Council signs the Coastal Concordat with Defra and that interested Members and the Lead Member for Coastal Communities be invited to future training with the relevant concordat bodies.

**143. BUSINESS RATES RELIEFS, COUNCIL TAX RELIEFS AND BUSINESS GRANTS**

The Committee considered a report by the Head of Resources (circulated previously) regarding the adoption of a revised policy for the granting of Discretionary Non-Domestic Rates Relief and two new policies for the administration of business grants and the Council Tax discretionary reductions.

The Head of Resources highlighted the following:

- Further measures had been announced by the Government due to the Covid 19 crisis. These included extended business reliefs, business grants and a Council Tax hardship fund.
- The revised policy for the granting of Discretionary Non-Domestic Rates Relief as detailed in Appendix 1. On 11 March the Government announced that due to the Covid 19 crisis it would increase the Business Rates Retail Discount from 50% to 100% and extend it to include the leisure and hospitality sectors. The Government also announced a Business Rates Nursery Discount. Both discounts applied for 2020/21 only. The Council awarded £20.4m and 1134 businesses had been granted 100% relief.
- The Small Business Grant and Retail, Hospitality and Leisure Grant Policy for 2020/21 as detailed in Appendix 2. The Council had received £51m to pay grants to eligible businesses. As of 29 May 2020 the Council had paid out

£37.8m. 700 (17%) of the total eligible businesses had not yet applied. This list would be circulated to Councillors to help with contacting those businesses to encourage them to apply for the grant. The Federation of Small Businesses would also be sent the list to assist with contacting these businesses to help the Council achieve paying 100% of the grant received from the Government to these eligible businesses.

- Council Tax Discretionary Reductions (Appendix 3). The Government had awarded the Council £692,000 to support economically vulnerable people by awarding £150 relief to council tax bills to claimants who currently pay a small proportion of Council Tax which was approximately 3,200 claimants. If further claims were made for Council Tax reductions, then those claimants would also receive £150 credit. The Policy also included a flood recovery framework to provide Council Tax reductions and for other cases such as individuals suffering exceptional hardship.
- The team had worked extremely hard and over weekends to ensure that the applications for grants were processed quickly.
- The separate Discretionary Grant scheme for businesses had been launched today and had been publicised on our website and using social media.

In response to a question, the Head of Resources advised that car parks managed by other organisations were not eligible for the business grants as to meet the criteria the business must have premises. Parish Councils were also not eligible to apply for the grants.

**RESOLVED:**

- (a) That the adoption of the revised policy for the granting of Discretionary Non-Domestic Rates Relief, to include the additional business rate measures with effect from 1 April 2020 (shown in appendices K and L of Appendix 1) be approved;
- (b) That the adoption of the policy for the granting of the Small Business Grant and Retail, Hospitality and Leisure Grant with effect from 1 April 2020 (Appendix 2) be approved;
- (c) That the adoption of the S13A (1) (c) Local Government Finance Act 1992 Policy for the administration of the Council Tax Discretionary Reductions with effect from 1 April 2020 (Appendix 3) be approved.

**144. URGENT DECISIONS TAKEN BY THE CHIEF EXECUTIVE**

The Committee noted the urgent decisions 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 Hardship Relief Fund; financial assistance for Parkwood Leisure; Hackney Carriage and Private Hire MOTs and garage tests; mechanical examination for taxi and Private Hire drivers; proposed derogation to the Council's Hackney Carriage and Private Hire licensing policy 2016 concerning

maximum age of Hackney Carriage vehicles; licensing of new or replacement Hackney Carriage and Private Hire vehicles when social distancing measures due to Covid-19 are in place; badges and plates for licensed Hackney Carriage and Private Hire vehicles; refund of fees for Hackney Carriage vehicles, drivers and operators due to the impact of Covid-19; fees for temporary event notices (TENs) and car parking and public toilets.

The Chief Executive advised that the urgent decisions taken had all been in response to the Covid 19 crisis.

Chair

The meeting ended at 12.31 pm

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