



North Devon Council
Brynsworthy Environment
Centre
Barnstaple
North Devon EX31 3NP

M. Mansell, BSc (Hons),
C.P.F.A.
Chief Executive.

To : All Members of the Council
and Chief Officers

NOTE: PLEASE NOTE THAT PRAYERS WILL BE SAID AT 5.55 P.M. PRIOR TO THE COUNCIL MEETING FOR ANY MEMBER WHO WISHES TO ATTEND

COUNCIL MEETING

YOU ARE HEREBY SUMMONED to attend a meeting of **NORTH DEVON COUNCIL** to be held at Brynsworthy Environment Centre, Barnstaple on **WEDNESDAY 12TH JULY 2017 AT 6.00 P.M.**

A handwritten signature in black ink, appearing to read 'M. Mansell', with a stylized flourish at the end.

Chief Executive

AGENDA

1. Apologies for absence.
2. To approve as correct records the minutes of the meetings held on 5th April 2017 (attached).
3. Chairman's announcements.
4. Business brought forward by or with the consent of the Chairman.
5. 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.
6. To consider motions of which notice has been submitted by Members in accordance with Part 4, Council Procedures Rules, Paragraph 11 of the Constitution.
7. Declarations of Interest **(NB. Members only need to re-declare any interests previously declared at Committee and Sub-Committee meetings if the item is discussed at Council).**
8. Chairman's replies to any questions to Council by Members submitted under Part 4, Council Procedures Rules, Paragraph 10 of the Constitution.

9. To agree the agenda between Part 'A' and Part 'B' (Confidential Restricted Information).

PART 'A'

10. **Executive reports.** (NOTE: Minutes of the meetings of the Executive held on 10th April 2017, 2nd May 2017, 5th June 2017, 19th June 2017 and 3rd July 2017 (to follow). (Pages 1 to 22).
(NOTE: Please refer to Guidance Notes for Rules of Debate at meetings of Council on page 6 of the agenda front pages)
- (a) **Executive Leader Report.** Report of Leader (attached). (Pages 23 to 24).
 - (b) **Executive Members reports, as required**
 - (c) **Questions to Executive submitted under Part 4, Council Procedure Rules, paragraph 10 of the Constitution.**
 - (d) **Recommendations of the Executive.** To consider the recommendations of the Executive. (Pages 25 to 26).
 - (i) **2nd May 2017**
 - a. **Minute 13 (b): Approval and release of section 106 funds – Restoration of Bicclescombe Mill.**
 - (ii) **5th June 2017**
 - a. **Minute 27 (b): Approval and release of section 106 funds (Newport, North Molton and Shirwell).**
 - b. **Minute 28 (c): Approval and release of section 106 Public Open Space, Tower View**
 - (iii) **3rd July 2017 (to follow).**
 - a. **Minute 43 (d): Lynton Agency Performance Review 2016/17.**
 - b. **Minute 45 (c): Watersports Centre, Ilfracombe.**
11. **Performance and Financial Management Quarter 4 of 2016/17.** (NOTE: copy of the report that was considered by the Executive on 3rd July 2017 is attached). (Pages 27 to 62)
- (a) **Report of meeting of the Overview and Scrutiny Committee.** To receive the report of the meeting of the Overview and Scrutiny Committee held on 6th July 2017 (to follow).
 - (b) **Report of meeting of the Executive.** To receive the report of the meeting of the Executive held on 3rd July 2017 (to follow).
12. **Annual Treasury Management Report 2016/17.** (NOTE: A copy of the report that was considered by the Executive on 3rd July 2017 is attached). (Pages 63 to 73)
- (a) **Report of meeting of the Overview and Scrutiny Committee.** To receive the report of the meeting of the Overview and Scrutiny Committee held on 6th July 2017 (to follow).

- (b) **Report of meeting of the Executive.** To receive the report of the meeting of the Executive held on 3rd July 2017 (to follow).
13. **Main Modifications to the North Devon and Torrridge Local Plan.** Report by Lead Planning Policy Officer (attached). Appendices 1 to 3 have been circulated separately with the agenda. Recommendation of Executive held on 19th June 2017 (attached). (Pages 74 to 83).
 14. **Zero Tolerance to Hate Crime.** Report by Community Protection Manager (attached). (Pages 84 to 86)
 15. **Pannier Market Public Spaces Protection Order.** Report by Economic Development Manager (attached). (Pages 87 to 109)
 16. **Statutory Pay Policy 2017.** Report by Human Resources Manager (attached). (Pages 110 to 117)
 17. **Delegated Powers – Exemptions to Garden Waste Collection Charge.** Report by Head of Corporate and Community (attached). (Pages 118 to 120)
 18. **Urgent Decisions Taken During the Period 27th March 2017 – 3rd July 2017.** Report by Councillor Brailey, Executive Leader (attached). (Pages 121 to 124)
 19. **Report of Chairman of Overview and Scrutiny Committee** (attached). (Pages 125 to 126).
 20. **Minutes of Committees.**

Council is recommended to note the attached schedule of committee minutes and approve recommendations as listed (see section 2 of the agenda papers).

PART 'B' (Confidential Restricted Information)

Nil.

<p><u>Reminder - Members please return your agenda to the Corporate and Community Services Officer at the end of the meeting</u></p>

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

SCHEDULE OF COMMITTEE MINUTES AND RECOMMENDATIONS

(a) **Audit Committee**

- (i) 9th May 2017 (Pages 127 to 131)

(b) **Ilfracombe Harbour Board**

- (i) 9th May 2017 (Pages 132 to 136)
 - a. Minute 7: Safety Management System 2017 Review
(NOTE: This recommendation was considered by the Executive at its meeting on 5th June 2017).

(c) **Licensing Committee**

- (i) 18th April 2017 (Pages 137 to 140)
- (ii) 20th June 2017 (Pages 141 to 148)

(d) **Overview and Scrutiny Committee**

- (i) 13th April 2017 (Pages 149 to 155)
- (ii) 20th April 2017 (Pages 156 to 159)
- (iii) 22nd June 2017 (to follow)
- (iv) 6th July 2017 (to follow)

(e) **Planning Committee**

- (i) 12th April 2017 (Pages 160 to 164)
- (ii) 8th May 2017 (Pages 165 to 167)
- (iii) 10th May 2017 (Pages 168 to 173)
- (iv) 14th June 2017 (Pages 174 to 181)

GUIDANCE NOTES FOR RULES OF DEBATE AT MEETINGS OF COUNCIL

Part 4, Council Procedure Rules of the Constitution

The basics

At a meeting of Full Council, Members shall stand when speaking unless unable to do so and shall address the Chair.

While a Member is speaking, other Members shall remain seated unless rising for a point of order, a point of information or in personal explanation.

No speeches may be made after the mover had moved a proposal and explained the purpose of it until the motion has been seconded.

Unless notice of motion has already been given, the Chair may require it to be written down and handed to him before it is discussed.

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

Speeches must be directed to the question under discussion or to be personal explanation or point of order.

A speech by the mover of a motion may not exceed 5 minutes without the consent of the Chair.

Speeches by other Members may not exceed 3 minutes without the consent of the Chair, unless when the Council's annual budget is under discussion, the leader of each political group on the Council may speak for up to 5 minutes or such longer period as the Chair shall allow.

The rules of Executive Question Time

At a meeting of the Council, other than the Annual meeting, a Member of the Council may ask the Leader, any Executive Member or the chair of a committee any question without notice upon an item of the report of the Executive or a committee when that item is being received or under consideration by the Council.

North Devon Council protocol on recording/filming at Council meetings

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

Notes for guidance:

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email **memberservices@northdevon.gov.uk** or the Communications Team on **01271 388278**, email **communications@northdevon.gov.uk**.