

**NORTH DEVON COUNCIL**

Minutes of a meeting of NORTH DEVON COUNCIL held at the Civic Centre, Barnstaple on Wednesday 6<sup>th</sup> April 2016 at 6.00 p.m.

PRESENT: Members:

Councillor Flynn (Chair)

Councillors Barker, Biederman, Bonds, Bradford, Brailey, Campbell, J. Cann, R. Cann, Chesters, Chugg, Crabb, Croft, Edgell, Edmunds, Fowler, Greenslade, Gubb, Harrison, Haywood, Hunt, Jones, Lane, Ley, Lovering, Lucas, Luggar, Manuel, Mathews, Meadlarkin, Moore, Patrinos, Prowse, Roome, Tucker, Webber, White, Wilkinson, Wood, Worden and Yabsley.

Officers:

Head of Financial Services, Head of Contentious Law, Economic Development Manager, Media and Customer Relations Manager and Senior Corporate and Community Services Officer (BT).

Also Present:

D. Black	Devon County Council
S. Jarvis	Devon County Council
P. Coles	BT South West Regional Partnerships Director
Hilary Burr	Chief Officer – North Devon Voluntary Service

**89 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Davis and Moores.

**90 MINUTES**

RESOLVED that the minutes of the meeting held on 24<sup>th</sup> February 2016 (circulated previously) be approved as a correct record and signed by the Chairman.

**91 CHAIRMAN'S ANNOUNCEMENTS**

(a) **Item 19 – Early Retirement**

The Chairman advised that item 19 “Early Retirement” on the agenda had been deferred and would not be considered at this meeting. An email had been sent to all Councillors by the Leader on 5<sup>th</sup> April 2016 advising that consideration of the item would be deferred.

**(b) Disclosure of Related Party Transactions 2015/16 – Reminder**

The Chairman advised that all Members had recently received a Disclosure of Related Party Transactions form for 2015/16 for completion. She reminded those Members that had not already completed their form to do so and return as soon as possible.

**92 DECLARATIONS OF INTEREST**

There were no declarations of interest to announce.

**93 EXECUTIVE REPORTS**

**(a) Executive Leader Report**

Council noted a report by the Leader of the Council (circulated previously) regarding the work of the Executive.

The Leader advised that the Council had received a formal offer from the Theatres Trust to purchase the Theatres on a long lease, the Trust will then run the theatres for the duration of the lease. He stated that he was not at liberty to discuss the specific details further because of confidentiality, however, there would be complete transparency and this item would go to Executive for the Executive members to take a view on the offer, when more of the detail will be in the public domain. He would then discuss the issue further with Leaders of the Group following discussions with the Executive.

**(b) Executive Members Reports**

None required.

**(c) Executive Question Time**

The following questions were submitted in advance of the meeting and the responses provided by the Leader were tabled:

- (i) Councillor Greenslade asked the Leader “The report on car parking charges considered by the Executive at its last meeting said that a consultation would take place between 10<sup>th</sup> and 31<sup>st</sup> March. I cannot recall seeing any sign of this consultation being promoted to the public. Can the Leader please say how the public were made aware of this consultation taking place?” Councillor Brailey’s response “Councillor Greenslade thank you for your question, the standard practice is for any consultation to be placed in a paper that is sold locally. That was done on the 10<sup>th</sup> of March and the consultation concluded on the 31<sup>st</sup> of March and we did not receive any official complaints. Furthermore the information was placed on our WEB as a press release

advising people and of course a press release was also sent to the local press.” Councillor Greenslade asked the Leader a supplementary question as to whether he considered that the proposed car park charges had been sufficiently publicised. The Leader confirmed that he did.

- (ii) Councillor Greenslade asked the Leader “The medium term financial strategy approved by Council shows over £800,000 of additional payroll costs anticipated in the period reviewed. Can the Leader please say what plans he has to manage this figure down without resorting to undue use of “stealth taxes”?” Councillor Brailey’s response “Councillor Greenslade thank you for your question. The Medium Term Financial Plan for the next 4 years to 2019-20 includes a number of different cost pressures; the payroll costs you have mentioned being one of them. I must point out that the £800,000 is made up of a number of elements; (i) inclusion of a 1% pay award for each of the years to 2019-20 in line with the Government’s announced capping on public sector pay rises at 1% (ii) the cost impact of the recently implemented National Living Wage and (iii) employers pension costs and the “statutory requirement” to automatically enrol all of our employees in the pension scheme from 2017. As you are aware we have reduced our workforce by 26% since 2010 from almost 490 staff down to 360 currently and the above on-going costs would have been much greater had we not carried out these planned reductions. Together with known costs and on-going reduced government funding these have put pressure on the revenue budget for the next 4 years. The Medium Term Financial Plan outlines a planned approach to bridge these pressures from continually looking to review service provision such as non-statutory areas like our Green Waste service and continually reviewing the level of grant funding we award to third party organisations. These two areas, the Medium Term Financial Plan is showing savings to 2019-20 of some (£800,000).In addition to the above; we are still faced with further reduced government funding thus we will be continually working on areas to bridge the forecast budget gap of £402,000 in 2019-20.” In response to a supplementary question from Councillor Greenslade, the Leader confirmed that a prudent budget would be set and managed and “stealth taxes” would not be used.
- (iii) Councillor Greenslade asked the Leader “Last week a report from the Commons Communities and Local Government Select Committee expressed concern at the activities of some developers who sit on brownfield land sites thereby forcing Local authorities to approve applications for greenfield sites to meet the five year land supply figures

required for their local plans. The report also identified that the current proposals in the Housing and Planning Bill do not appear to be strong enough to overcome this difficulty. Will the Leader please note that I have written to the North Devon MP urging him to lobby Government to take account of the Select Committee report before the Housing & Planning Bill completes its passage through Parliament and does he not share my disappointment that the MP has so far supported the Housing and Planning Bill three times in the Commons despite the representations made by the Leader and I?” Councillor Brailey’s response “Councillor Greenslade thank you for your question, Peter shares many of the concerns of the CLG Select Committee, and said so publicly in a front page story of the Western Morning News last Saturday. The Committee correctly said that many of the problems stem from councils not having an adopted Local Plan. Whilst your administration was not able to accomplish the plan in your four years, this administration is seeking to do something about it and receiving a great deal of support from our MP in doing so.” In response to a supplementary question from Councillor Greenslade, the Leader advised that he had lobbied the MP further this week regarding this issue.

- (iv) Councillor Greenslade asked the Leader “Will the Leader please note that I welcome the support for remaining a member country of the European Union shown by himself and the North Devon MP. Accordingly I repeat my offer to jointly make a statement of support for our continued membership of the EU with him during the period leading up to the in/out referendum and will he agree to this action being taken?” Councillor Brailey’s response “Councillor Greenslade thank you for your question, while I note your comments you will appreciate that for you and I to share a joint statement, could be misconstrued as a statement from the Council and we have been advised not to pursue this line. You will also understand there will be many in this chamber who do not share your view on this item and the position you are taking and would feel quite rightly in my view, aggrieved at this stance. I can only reiterate the referendum will be an opportunity for everyone to have a vote and vote according to their beliefs and I uphold that view and each person’s right to make their own choice.”
- (v) Councillor J. Cann asked the Leader “In the report to Council agenda item 14 Outside Bodies reports the Leader says he has not received any invitation to the District Council’s Network Assembly, Cllr Moores say similar re Encompass, Cllr Barker says the same re the LGA General Assembly and the LGA South West Branch and the Northern Devon Growth

Board and Cllr Lane ditto re the North Devon County Locality Committee. Does the Leader not agree these are important bodies and it is not good that North Devon's voice is not being heard. He and his Executive colleagues were appointed last May what steps have they taken to find out why they have not been invited to meetings of these bodies?" Councillor Brailey's response "Councillor Cann thank you for your question, I have asked Member Services to look into the outside body areas and if necessary contact these bodies and advise me further if any one of us have been missed off because of the change of administration last year or for any other reason. I can assure you that we promote North Devon at every opportunity. With reference to the District Council's Network Assembly and LGA General Assembly and LGA South West Branch I took the liberty of going back over years 2012,13,14, & 15 and there was no report from Cllr Greenslade for the District Councils Network Assembly in fact he wrote in 2012 "Never Attended". Furthermore there was no report for the LGA areas that you have listed during the 4 years."

- (vi) Councillor Roome asked the Leader "I have recently received an invitation to a Barnstaple economic consultation event on the morning of the 22<sup>nd</sup> April. I and other Members have made the point that such events should be held in the evening to make it possible for more Councillors to attend. Why does the Administration still insist in making it difficult for some working Members to attend such events?" Councillor Brailey's response "Councillor Roome thank you for your question, while I appreciate you and some members might have asked for evening meetings the majority as far as I am lead to believe are happy with day time meetings. Evening meetings are of course more costly in time because our officers need to be given time off in lieu. Naturally we will never please everyone and I did re-arrange the dates to give people the opportunity to be able to make arrangements to come along to the meeting. However, I am pleased you're able to attend this meeting and on the positive side many outside organisations have said they will attend. However, I do hope you turn up on the 20<sup>th</sup> and not the 22<sup>nd</sup> of April otherwise you will miss it altogether." In response to a supplementary question, the Leader advised that he would look into costs associated with holding meetings during the evenings as opposed to the daytime.
- (vii) Councillor Prowse asked Councillor Yabsley whether Council would have an opportunity to have an input into the draft policies on wind energy and starter homes? Councillor Yabsley advised that the draft policies were due to be considered by the Joint Local Plan Working Group and the

Executive on 3<sup>rd</sup> May 2016. He advised that he had not had an opportunity to look at the draft reports which were due to be considered by the Joint Local Plan working Group. If he wasn't in agreement with the reports, they would not be considered by the Group. It was proposed that the draft Joint Local Plan would be considered by the Executive at its meeting on 3<sup>rd</sup> May 2016 and then by an Extraordinary Council meeting on 18<sup>th</sup> May 2016.

(d) Recommendations of the Executive

RESOLVED that the following minutes of the Executive (circulated previously) be noted and adopted as appropriate:

(i) 1<sup>st</sup> March 2016

(A) Minute 123 (b): Approval and Release of Section 106 Fund – Bicclescombe Park, Ilfracombe.

(B) Minute 124 (b): Anti-Money Laundering Policy.

(C) Minute 125 (b): Anti-Fraud, Corruption and Bribery Policy

**94 BT BROADBAND AND PROGRESS BEING MADE IN NORTH DEVON**

Council received an update by Paul Coles, BT South West Regional Partnership Director. It was the final phase of year 1 of the Connecting Devon and Somerset Programme to roll out the fibre network. BT had reported that they were 10,000 premises ahead of schedule. In North Devon 31,400 homes and businesses were now able to connect to superfast broadband. The take up in North Devon was 31% compared to the national average of 22.3%. There were more areas planned for coverage in North Devon by the end of 2016. BT had recently taken over the company EE and would in future be able to give more accurate information on mobile coverage in the North Devon area.

In response to questions, P. Coles advised that he would investigate the problems with poor mobile phone signal in areas of South Molton. He confirmed that the superfast broadband coverage in Witheridge would take place in August and November. Internet Service Providers pre-ordered broadband coverage. Connecting Devon and Somerset announced their programme for going live. Wifi could be installed at Brynsworthy Environment Centre by installing fixed line connectivity. Connecting Devon and Somerset would be launching phase 2 in due course. If there were any communities that were not part of the roll-out, BT could co-invest with that community.

**95 NORTHERN DEVON VOLUNTARY SERVICE**

Council received a presentation by Hilary Burr, Chief Officer of the Northern Devon Voluntary Service. She stated that the service worked with voluntary

groups, community organisations, charity or social enterprise. All services provided were free of charge with the exception of training. She outlined the advice and support that was provided to the voluntary and community sector which included one to one support and advice provided to the sector on issues such as: fundraising including sources of funding, writing applications, raising money from the public; evidence need; preparing business plans; policies and procedures; legal status including charity registration; roles and responsibilities of trustees. The service also provided training and network opportunities including a programme of training, health and social care forums and bespoke training. The volunteer centre had a database of volunteering opportunities and provided drop-in sessions for prospective volunteers, advice on volunteer management and forums for volunteer co-ordinators. The service hosted the Devon Access to Services Project (funded by Devon County Council). The service was also responsible for the Supported Volunteer project and worked with people who needed extra assistance with finding and sustaining a volunteer role.

A question and answer session then followed.

A summary of the role of the North Devon Voluntary Services was tabled.

#### **96 A361 LINK ROAD PROPOSALS**

Council received a presentation by David Black, Devon County Council regarding the A361 Link Road study. This study was being undertaken with funding provided by Central Government. Devon County Council had been awarded two tranches of funding for the strategic outline business case (£0.6m) to be submitted by the end of 2016 and (£0.9m) for business cases depending on approvals by 2017. He outlined the study area and the key work streams to be undertaken in relation to traffic economics, wider economic benefits, engineering and environmental impacts. He explained the Department for Transport's guidance to be followed. He outlined the options available and the need to demonstrate that the scheme will make a material difference to the economy of Northern Devon. He outlined the phases and timetable for the submission of the Department for Transport Local Majors Bid.

A question and answer session then followed.

#### **97 OUTSIDE BODIES – REPORTS OF APPOINTEES**

Council considered a report by the Head of Legal (circulated previously) and noted the reports from Councillors and representatives appointed to Outside Bodies.

#### **98 URGENT DECISIONS TAKEN DURING THE PERIOD 13<sup>TH</sup> FEBRUARY 2016 TO 24<sup>TH</sup> MARCH 2016**

Council noted that no urgent decisions had been taken during the period 13<sup>th</sup> February 2016 to 24<sup>th</sup> March 2016.

**99 REPORT OF CHAIRMAN OF OVERVIEW AND SCRUTINY COMMITTEE**

Council noted a report of the Chairman of the Overview and Scrutiny Committee (circulated previously) regarding the work of the Overview and Scrutiny Committee.

**100 MINUTES OF COMMITTEES**

(a) **Audit Committee**

RESOLVED that the following minutes of the Audit Committee (circulated previously) be noted and adopted as follows:

- (i) 8<sup>th</sup> March 2016

(b) **Licensing Committee**

RESOLVED that the following minutes of the Licensing Committee (circulated previously) be noted and adopted as follows:

- (i) 15<sup>th</sup> March 2016

(c) **Overview and Scrutiny Committee**

RESOLVED that the following minutes of the Overview and Scrutiny Committee (circulated previously) be noted and adopted as follows:

- (i) 10<sup>th</sup> March 2016

(d) **Personnel Committee**

RESOLVED that the following minutes of the Personnel Committee (circulated previously) be noted and adopted as follows:

- (i) 15<sup>th</sup> March 2016  
(ii) 6<sup>th</sup> April 2016 (tabled)

(e) **Planning Committee**

RESOLVED that the following minutes of the Planning Committee (circulated previously) be noted and adopted as follows:

- (i) 9<sup>th</sup> March 2016

Chairman

The meeting ended at 7.11 p.m.

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