

TORRIDGE DISTRICT COUNCILFULL COUNCIL MEETINGCaddsdow Business Support Centre - Caddsdow Bideford EX39 3BEMonday, 11 December 2023 - 6.30 pm

PRESENT Councillor D Bushby (Chair)
 Councillors S Andrews, L Bach, A Brenton, D Brenton, C Bright,
 L Bright, C Cottle-Hunkin, J Craigie, A Dart, T Elliott, S Gibson,
 J Gubb, P Hackett, P Hames, C Hodson, S Inch, K James,
 T Johns, C Leather, W Lo-Vel, S Newton, P Pennington, L Piper,
 P Shepherd, D Smith, C Wheatley and J Whittaker

| | | |
|--------------|-------------|---|
| ALSO PRESENT | S Hearse | - Chief Executive |
| | S Dorey | - Head of Legal & Governance (Monitoring Officer) |
| | S Kearney | - Head of Communities & Place |
| | G Bryant | - Finance Manager (S151 Officer) |
| | J Walter | - Strategy, Performance & ICT Manager |
| | J Wells | - Revenues & Benefits Manager |
| | C Parkhouse | - Lead Licensing Officer |
| | C Fuller | - Economic Development Officer |
| | T Vanstone | - Senior Electoral & Democratic Services Officer |
| | K Brown | - Democratic Services Officer |

Eight members of the public and one public speaker.

201. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: P Christie, K Hepple, R Hicks, R Lock and H Thomas.

202. COUNCIL MINUTES

It was proposed by Councillor C Leather, seconded by Councillor S Harding and -

Resolved: That the minutes of the meeting held on 30th October 2023 be confirmed as a correct record.

(Vote: For - 26, Against - 0, Abstentions - 4)

203. ACTION LIST

The Action List was discussed and updated.

Following a query from Councillor Hames, it was confirmed that South West Water will be attending Full Council in January 2024 with a presentation where Members would have the opportunity to ask questions.

204. PUBLIC CONTRIBUTIONS

Mr Robert Durrant addressed the Committee regarding the prohibition of fireworks on Bideford Quay and the damaging effect it has on the Starlings that roost there. He recognised that this would not be happening this year however strongly urged Members to support Councillor Hames' Notice of Motion and to make a public declaration of disapproval of such activities that could cause environmental harm. Mr Robert Durrant continued to explain the rapid decline in wildlife since his childhood and asked that TDC strive to reverse losses to wildlife.

205. DECLARATIONS OF INTEREST

Members were reminded that declarations of interest should be made as and when the specific agenda item to which they related was under discussion.

206. AGREEMENT OF AGENDA ITEMS PART I AND II

There were no Part II items.

207. TO CONSIDER CORRESPONDENCE OR OTHER BUSINESS ESPECIALLY BROUGHT FORWARD BY THE DIRECTION OF THE CHAIR

No matters were brought forward.

208. WESTWARD HOUSING

The Chief Executive of Westward Housing, Barabra Shaw (BS) and Executive Director, Rachel Searle (RS) of Westward Housing attended Full Council to give a presentation on Westward Working with Torridge.

A detailed slide presentation was given which included the following:

- employees within the Torridge area
- Westward homes in Torridge –
 - General Needs 1550 81%
 - Affordable Rent 85 4%
 - Housing for Older People (HfOP) 209 11%
 - Shared Ownership 74 4%
- ways in which customers can be heard and engage with the Management
- results of a customer satisfaction survey
- how customers have been supported through the cost-of-living crisis
- improvement works and repairs undertaken throughout 2022/23
- Health & Safety and compliance
- development
- customer satisfaction award

Members were invited to ask questions and responses were given as follows.

Government match funding had been secured to address energy efficiencies and carbon reductions. The funding is to be used for retrofitting properties to bring the EPC rating up to a C grade. Details of Westward's own EPC tool was provided which enables them to track KPI's and performance of the overall stock. Westward also has their own internal environmental working group that implements environmental strategies.

In response to a query surrounding figures on the right to buy and receipts, BS advised she would ascertain the figures and provide them after the meeting.

A query regarding accessing Homes England funding was addressed by BS. Accessing the funding was not necessarily the issue but with recent economic challenges priority had to be given to areas of more need resulting in less development.

Westward Housing have not had any direct involvement with Community Land Trusts and have only assisted another Housing Association in the process.

Following a comment on a poor experience regarding communication and a specific area that needs attention, BS advised to contact her direct with any queries. She also confirmed that emails are encrypted due to GDPR reasons.

Queries were raised concerning biomass boilers in properties and chimneys being removed. Biomass boilers were a government incentive which did not necessarily work. All customers who requested their boilers be replaced had them replaced. No complaints had been received in the last 5 months regarding biomass boilers but if Members were aware of issues let BS know. Rachel addressed the question regarding chimneys, stoves and wood burners stating that they hinder the EPC ratings of a property in a rural area. It was confirmed that more advice would be gained on this topic and reported back to the committee.

Following a query regarding mould and damp, it was confirmed that this can affect both new and old properties.

209. LOCAL COUNCIL TAX REDUCTION SCHEME 2024/25

The Finance Manager (S151 Officer) presented the report, the purpose of which was to update Members on the Council Tax Support Scheme for 2024/2025 and to obtain approval for the current scheme 2023/2024 to roll over to 2024/2025 using updated income figures within the current bands.

It was proposed by Councillor S Newton, seconded by Councillor J Craigie and –

Resolved:

That the current Council Tax Reduction Scheme 2023/2024 be approved and rolled over to 2024/2025 using the updated income figures detailed in the report.

(Vote: For – unanimous)

210. COUNCIL TAX BASE 2024-25

The Finance Manager (S151 Officer) presented the report, the purpose of which was to set the Council Tax Base for 2024/25.

It was proposed by Councillor C Leather, seconded by Councillor S Newton and –

Resolved:

That the 2024/25 Council Tax Base be approved.

(Vote: For – unanimous)

211. LICENSING ACT POLICY REVIEW

The Lead Licensing Officer presented the report, the purpose of which was to seek approval for adoption of the Authority's revised Statement of Licensing Policy.

As the Chair of the Licensing Committee, Councillor C Bright stated that the policy is key in continuing to deliver the licensing objectives and moved the recommendation.

It was proposed by Councillor C Bright, seconded by Councillor S Harding and –

Resolved:

That the revised Statement of Licensing Policy be approved.

(For – 29, Against – 0, Abstention – 1)

212. PURCHASE OF TRACTOR

The Head of Communities & Place presented the report, the purpose of which was to receive the recommendation of Community and Resources committee that the sum of £55,000 should be added to the capital programme for the purchase of a tractor for use by the Burrows and Grounds maintenance teams.

A brief discussion took place where it was confirmed that the tractor would be powered by diesel. A battery powered tractor would not be suitable or affordable. Regarding the use of alternative fuels such as vegetable oil, the Head of Communities & Place advised if Members had information regarding this then to discuss with him or the Operational Services Manager following the meeting as it may be an option in the future. Councillor P Hames added that this was already

being investigated by the Operational Services Manager and the Sustainability & Climate Officer.

It was confirmed that 100% of the funding for the tractor would come from the High-Level Stewardship Scheme.

It was proposed by Councillor K James, seconded by Councillor D Bushby and –

Resolved:

That the recommendation for the capital programme be increased by £55k and that the tractor be purchased for the reasons outlined in the report to Community and Resources Committee on the 23rd October 2023 be approved.

(Vote: For – 29, Against – 1, Abstentions – 0)

213. PROPOSED WITHDRAWAL AND DISSOLUTION OF HEART OF THE SOUTH WEST JOINT COMMITTEE

The Chief Executive presented the report, the purpose of which was for Members agree to the withdrawal and dissolution of the Heart of the South West Joint Committee.

It was proposed by Councillor D Brenton, seconded by Councillor K James and –

Resolved:

That it be approved that notice of TDC Full Council withdrawal of the committee be served and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

(Vote: For – unanimous)

214. DRAFT STRATEGIC PLAN 2024 - 2029

The Chief Executive presented the report, the purpose of which was for Full Council to receive the responses to the consultation and to adopt a new Strategic Plan.

The Leader followed the Chief Executive and expressed that a more positive response had been received throughout the review of the Strategic Plan and if adopted would give guidance when looking at projects for the Levelling Up Partnership.

The Chair invited Members to ask questions or express their views.

A lengthy discussion then took place.

Following concern that the responses were negative towards the Strategic Plan and thoughts were that it was too vague, the Chief Executive responded by confirming that moving forward the intention is for each service area across the Council to build and develop individual operational plans which would provide more detail. These would then be monitored via the Quarterly Business Report presented to Internal Overview & Scrutiny Committee.

The Chief Executive informed the Committee that further to comments from the consultation and following discussions with Lead Members, amendments had been made to the draft plan.

In response to comments made about arts, culture and heritage it was confirmed that this would be addressed within the Culture Strategy previously adopted at Full Council. Councillor C Cottle-Hunkin added that she had attended the first meeting of the Northern Devon Futures Board, and that heritage would be included within the Northern Devon Strategy.

Councillor J Craigie proposed an amendment to the recommendation and add that a system is set up for the Council to facilitate and construct social rented homes, this was seconded by Councillor D Brenton. The Chief Executive advised social housing would be covered within the Housing Strategy.

Councillor D Smith requested that the proposal to re-open the Barnstaple to Bideford railway line be renamed Barnstaple to Torrington.

The discussion reverted back to social housing and as Lead Member for Homelessness and Housing Need, Councillor C Hodson explained how all types of housing would be included within the Housing Strategy including social housing.

Throughout the remainder of the discussion many Members expressed their views regarding social housing being a specific item within the Strategic Plan.

The Head of Legal & Governance (Monitoring Officer) also addressed the committee advising she has the overall responsibility for Housing within the Council and supported comments made by her Lead Member, Councillor C Hodson. She confirmed that the current Housing Strategy is out of date and is in the process of being reviewed and updated. All aspects of housing would be covered in the Housing Strategy including social housing and stressed not all customers in temporary accommodation want social housing.

Comments were also made regarding temporary accommodation and affordable housing.

Following a query on the timeline for the production of the Housing Strategy, the Chief Executive explained the reasons why the Strategic Plan needed to be adopted first to then develop detailed service plans which would include the Housing Strategy.

Councillor L Piper proposed an amendment to the Strategic Plan under Communities, Health and Housing. He proposed that it states ‘develop and implement a Housing Strategy that provides creative solutions to meet the housing need of the district and help tackle the current housing crisis’. This was seconded by Councillor C Cottle-Hunkin.

The Chief Executive advised the Committee that across Devon a housing task force had been set up which included various authorities in Devon and the aim is to lobby government for policy changes to address the wider issue such as private rents and air b and b which are contributing factors.

Councillor J Craigie requested a recorded vote to which five other Members supported.

It was proposed by Councillor J Craigie, seconded by Councillor D Brenton and –

Resolved:

That it be approved for a system be set up for the Council to facilitate and construct social rented housing be approved.

A recorded vote was taken.

| COUNCILLOR | FOR | AGAINST | ABSTAIN |
|-------------------|------------|----------------|----------------|
| ANDREWS, S | X | | |
| BACH, L | | | X |
| BRENTON, A | X | | |
| BRENTON, D | X | | |
| BRIGHT, C | | X | |
| BRIGHT, L | | X | |
| BUSHBY, D | | X | |
| CHRISTIE, P | | | |
| COTTLE-HUNKIN C | | X | |
| CRAIGIE, J | X | | |
| DART, A | | X | |
| ELLIOTT, T | | X | |
| FORD, L | | | |
| GIBSON, S | | X | |
| GUBB, J | | | X |
| HACKETT, P | | X | |
| HAMES, P | X | | |
| HARDING, S | | X | |

| | | | |
|-------------------|----------|-----------|----------|
| HAWKINS, C | X | | |
| HEPPLE, K | | | |
| HICKS, R | | | |
| HODSON, C | | X | |
| INCH, S | | X | |
| JAMES, K | | X | |
| JOHNS, T | | X | |
| LEATHER, C | | X | |
| LO-VEL, W | X | | |
| LOCK, R | | | |
| NEWTON, S | | X | |
| PENNINGTON, P | X | | |
| PIPER, L | | X | |
| SHEPHERD, P | X | | |
| SMITH, D | | X | |
| THOMAS, H | | | |
| WHEATLEY, C | | X | |
| WHITTAKER, J | | X | |
| TOTAL - 30 | 9 | 19 | 2 |

(Vote: For – 9, Against – 19, Abstentions – 2)

The motion was lost.

It was proposed by Councillor L Piper, seconded by Councillor C Cottle-Hunkin and

–

Resolved:

That the first action within the Communities, Health & Housing section of the Strategic Plan be approved to read - develop and implement a Housing Strategy that provides creative solutions to meet the housing need of the district and help tackle the current housing crisis.

(Vote: For – 29, Against – 0, Abstention -1)

Motion was carried.

It was proposed by Councillor K James, seconded by Councillor D Bushby and -

Resolved:

That the final version of the Strategic Plan 2024 – 2029 be approved.

(Vote: For – 26, Against – 0, Abstentions – 4)

Motion was carried.

215. LEVELLING UP PARTNERSHIP

The Chief Executive presented this item, however before detailing the report he gave an overall summary of the Levelling Up Partnership highlighting key points.

The report was then presented by the Chief Executive, the purpose of which was for Full Council to receive the latest information and to receive update of progress on Torridge’s levelling up Partnership with Government and consider the structure of a Torridge “Place Board”.

The Leader thanked the Chief Executive for a good description of the Levelling Up Partnership. He expressed how exciting this is for the district and feels it is a positive scheme and holds a lot of opportunities for the area.

A discussion then followed.

In response to a query on how much funding TDC will receive, the Chief Executive advised no allocation had been made yet and the Levelling Up Policy Team will make recommendations to the Minister for funding.

Councillor K James moved the recommendations in the report which was seconded by Councillor C Leather.

Councillor P Hames proposed that an Environment representative be added to the Place Board, which was seconded by Councillor J Craigie.

It was confirmed that Andy Bell is the Chief Executive of the biosphere, and he would be a representative for the environment.

The Leader explained how the people on the board had been selected and that guidance was followed. It was also advised that the Leader, Chief Executive and Head of Communities & Place were on the board to reflect everything the Council wishes to achieve.

The Place Board members could be changed. The amount on the board was reflective of the number other areas also had. Areas of business with specialist expertise were identified rather than selecting individuals.

It was advised that the Policy Team may want to engage with other stakeholders for further specialist input, in which case they would be directed to the correct person.

The Leader explained why Harper Feeds was on the Place Board.

It was proposed by Councillor P Hames, seconded by Councillor J Craigie and –

Resolved:

That it be approved that a representative for the Environment be included on the Place Board.

(Vote: For – 12, Against – 15, Abstentions – 3)

Motion was lost.

It was proposed by Councillor K James, seconded Councillor C Leather and –

Resolved:

That the purpose, formation and makeup of the Torridge Place Board as highlighted in the report be approved and that Members note the allocation of LUP capacity funding and use as highlighted in the report.

(Vote: For – 26, Against – 0, Abstentions – 4)

Motion carried.

216. COUNCILLOR ALLOWANCES

A five-minute rest break took place before this item was presented.

Councillor P Pennington and Councillor T Johns left the meeting at 8.54pm.

The Chief Executive presented the report, the purpose of which was for Members to decide the level of Councillor Allowances for 2023/24.

Councillor K James proposed to increase the Councillor Basic Allowance and Councillor Special Responsibility Allowances by 3.88% as per the percentage increase applied to NJC allowances and to increase annually in line with staff allowances. This was seconded by Councillor C Leather.

Following comments made by Councillor D Brenton, Councillor K James withdrew his proposal.

It was proposed by Councillor D Brenton, seconded by Councillor P Shepherd and –

Resolved:

That Members approve to keep Councillor Basic Allowance and Councillors Special Responsibility Allowances at the current rate as set out in the Members Allowance Scheme.

(Vote: For – 6, Against – 18, Abstentions – 3)

Councillor P Hames had left the room and took no part in the above vote.

It was proposed by Councillor C Leather, seconded by Councillor S Harding and –

Resolved:

That it be approved to increase the Councillor Basic Allowance and Councillor Special Responsibility Allowances by 3.88% as per the percentage increase applied to NJC allowances and increase annually in line with staff allowance increases.

(Vote: For – 22, Against – 5, Abstentions – 1)

217. TO ANSWER QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

Three questions were submitted under Procedural Rule A9.

In accordance with the Constitution a written answer to each of the questions had been circulated to Members.

Question from Councillor A Brenton

When is the communications system (e.g. tablets etc) and other provision for Councillors reviewed and what is the input of Elected Members to this process, to ensure it is more reliable, informative and user friendly in order that Councillors can carry out their duties.

Cllr A Brenton

Answer

In 2016 Community & Resources Committee unanimously agreed to the provision of iPads for Members and the initial costs to be taken from the Spend2Save reserve. In October 2022 Community & Resources Committee unanimously agreed to the Digital by Default Strategy from 2022-25. One of the aims of the Strategy was to make a positive impact on our climate commitment, through a continued reduction in the use of paper and associated services like postage.

Councillor A Brenton presented her question and subsequently asked when will the Councillors communications and technology be reviewed along with Councillor input.

Question from Councillor J Craigie

It is reported that Torridge District Council has commissioned consultant to populate a levelling up partnership board to evaluate what projects might go forward for levelling up partnership funding. Which if any consultants have been commissioned in relationship to the levelling up partnership and what was the cost of them.

Cllr J Craigie

Answer

There hasn't been a report to Full Council prior to the report being presented at tonight's meeting.

The report at agenda item 11 provides the up-to-date position about the Place Board and progress in developing the Partnership.

Councillor J Craigie asked for confirmation that the answer provided means that no consultants have been commissioned for the LUP. It was confirmed that no consultants have yet been commissioned.

Question from Councillor D Brenton

Has Torridge District Council made any representations to the Care Quality Commission or local Health Commissioners to halt withdrawal of Boots Pharmacy Services from Bideford: in light of the fact that Bideford used to have four

Pharmacies in the Town Centre and government proposals are to encourage the use of local pharmacies for treatment and advice for minor conditions, in order to remove pressure from G.P practices and the wider NHS?

Cllr D Brenton

Answer

No representations have been made.

218. **PETITIONS**

There were no petitions.

219. **NOTICES OF MOTION**

There were 3 notices of motion.

In accordance with the Constitution, it was proposed by Councillor D Bushby, seconded by Councillor K James and –

Resolved:

That in view of the fact 3 hours had elapsed since the meeting had commenced, that the meeting should continue.

(Vote: For – unanimous)

(a) Written Notice of Motion from Councillor A Brenton

In order to protect our democratic role, encourage good conduct and safeguard the public's trust in our Local Government, it is proposed that Torridge District Council adopt the Local Government Association's Model Councillor Code of Conduct.

Councillor A Brenton presented her Notice of Motion

It was confirmed by the Chair and Councillor L Bach, as the Chair of Standards Committee, that the Local Government Association's Model Councillor Code of Conduct is on the forward plan to be presented to Standards Committee in January 2024.

Councillor A Brenton then asked if she required a seconder for her motion? It was confirmed that she did, and Councillor D Brenton seconded the motion.

Following a brief discussion, the Chair confirmed that as the Local Government Association's Model Councillor Code of Conduct was being presented for discussion and adoption at the Standards meeting in January a seconder was not required.

Councillor A Brenton then asked whether a seconder was required, and it was confirmed by the Chair that a seconder was not required.

(b) Written Notice of Motion from Councillor Hames

Given the recent call on social media (i.e. Bideford Banter) for people to support a New Year's Eve firework display on the river bank at East the Water I propose that Councillors, by voting for this motion, make it known that this Council opposes any firework event which is planned to be held so near to Bideford Long Bridge that it would cause panic amongst the starlings which roost there and that should such an event be planned that the Council writes to the organisers to express this opposition. I propose this in the context of this Council's ban in 2019 on holding firework displays at the East the Water wharves when they were the property of the Council and Bideford Town Council's decision in the same year to not fund the fireworks and to restrict the level of decibels. These decisions were in response to a petition signed by around 8000 people expressing their concern about the terrifying effect of fireworks on roosting starlings at the Bridge and on other birds, some of these effects being injuries and death resulting from frightened birds hitting hard objects or drowning in the river.

Councillor P Hames presented his Notice of Motion.

It was proposed by Councillor P Hames, seconded by Councillor J Craigie and –

Resolved:

That TDC's opposition to proposals to use fireworks in the vicinity of the long bridge be re-registered.

(Vote: For – 16, Against – 3, Abstention – 9)

Motion carried.

(c) Written Notice of Motion from Councillor Craigie

This Council joins in Bideford Council's rejection of proposals made by Devon County Council about the closure North Devon Link Centres that provide preventative social care and calls on DCC to do the following.

Urgently extend consultation period to 3 months from the unfair 1 month that is too short for both vulnerable adults and organisations to respond intelligently.

Explain where funding will come from to provide the social care need, once the prevention of that need is removed.

Explain why costings of alternative provisions and consequential expenditure of the proposals relating to meeting DCC's duty under the Care Act 2014 are not included in the consultation.

Provide verifiable evidence that people in Holsworthy can access the supposed alternative provision, or alternatively reinstate the Link Service there.

Councillor J Craigie presented his Notice of Motion and read to the Committee an email from a Link Centre user and the affect the closure would have on them.

It was proposed by Councillor J Craigie, seconded by Councillor A Brenton and –

Resolved:

That TDC join the rejection of proposals made by DCC regarding the closure of the North Devon Link Centres be approved.

(Vote: For - unanimous)

220. EXCLUSION OF PUBLIC

221. PART II - (CLOSED SESSION)

The meeting commenced at 6.30 pm and closed at 9.39 pm

Chair:

Date: