

County Council
Thursday 16th February, 2023



You can view the agenda at
<https://www.devon.gov.uk/democracy/>
or use a smart phone camera and scan the code above.

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

8 February 2023



Chief Executive

A G E N D A

12. Cabinet Member Reports (Pages 1 - 40)

To consider reports from Cabinet Members.

Report of the Cabinet Member for Policy, Corporate and Asset Management

I have been asked to report as follows for Full Council on 16 February 2023:

1. By **Councillor Hannaford** on the work of the Devon Housing Task Force and Council Tax Premium.
2. By **Councillor Hannaford** on the Devon Devolution Deal.

Response

1. **Housing Task Force**

Update on the Devon Housing Forum

Following discussions at Council in December 2021 (minute *68 refers), Cabinet subsequently resolved to work with Team Devon to create a Devon Housing Task Force.

The Devon Housing Task Force was formed in May 2022 in response to the housing crisis across many parts of the County with the consent of all the Leaders of the Devon, Plymouth and Torbay local authorities.

The Devon Housing Task Force is a member-led, cross party task force representing the eleven local authorities across the County. It is chaired by Councillor Judy Pearce (leader of South Hams District Council) with the following Members Councillor Ken James (Torridge Council), Councillor Swithin Long (Torbay Council), Councillor Rebecca Smith (Plymouth City Council) and Laura Wright (Exeter City Council).

The Task Force is supported by the lead Chief Executive for housing under the Devon Deal - Stephen Walford (Mid Devon) alongside Ken Miles (North Devon) and Andy Bates (South Hams and West Devon). Devon County Council provides secretariat support to the Task Force.

The Task Force provides regular update reports and engages with the leaders of the local authorities to receive its mandate to operate. Its role is not to interfere with the statutory duties of the individual housing authorities but to bring collective understanding of the common issues impacting across the County, share intelligence and learning on challenges, and to provide a strong platform for influencing positive change.

2. Task Force Objectives

The Task Force objectives are set out in its Terms of Reference:

Agenda Item 12.

- Understanding the pan-Devon picture (including Plymouth and Torbay) to inform the County Deal and other representations to Government
- Feeding into appropriate housing consultations by Govt – such as recent DCMS consultation on a registration scheme for holiday lets
- Exploring how Devon can stimulate/accelerate community based projects such as Community Land Trusts
- Liaising with MPs to reflect their priorities and the those of the authorities on housing
- Initiate the Devon Housing Commission – led by Exeter University
- Increasing visibility of ‘houses vs homes’ picture and the various financial, taxation and regulatory levers that are having perverse impact on our communities

3. Asks of Government

Overall, to provide greater local control for the effective management of local housing markets including:

- Licensing of short-term letting market (DCMS consultation)
- Change of use (planning consent) needed when a property changes use from a ‘home’ to a commercial asset
- Significantly increase the second home council tax premium (Welsh model)
- Properly resource planning departments (can be done through fee flexibility to ensure fees cover costs, i.e. not just ‘grant’ to councils)
- Local flexibility on right to buy discounts and all receipts to be retained locally for new housebuilding
- Bids, bids, bids... and better alignment with Homes England affordable housing delivery programme
- Further funding rounds for Community Land Trusts

With regards to Council Tax premium on second homes we are aware that the Levelling Up Bill has provision for Councils to be able to charge an additional 100% of Council Tax to second homeowners. If this legislation is passed it will be up to the eight district councils and the two unitary authorities, as the Devon Council Tax Billing authorities, in Devon to consider if they would apply this premium.

The Devon Housing Task Force and Devon County Council will support authorities to apply this premium if this provision passes into law.

4. Work by the Task Force:

Since May 2022 the Task Force has undertaken the following work in pursuit of its objectives:

- Agreed a political framework and priorities with the Members of the Task Force to guide discussions and formulate ‘asks’ of Government
- Literature Review of Housing
- Entered into working arrangements with the senior team at the LGA to influence lobbying on Local Housing Allowance uplift, Community Land

Trusts, Levelling Up and Regeneration Bill, Renters Reform Bill and aligning lobbying responses

- Responded to DCMS/DLUHC on the need for a registration scheme for holiday lets to support the wider housing market with acknowledgement from the new Housing Minister of potential inclusion in the Levelling Up and Regeneration Bill
- Sought engagement with the reappointed Secretary of State DLUHC and new Housing Minister on Devon's housing priorities
- Collated housing data across the partnership to understand local housing markets and demand and supply pressures
- Engaged with Community Land Trust networks to lobby for further investment in the model
- Appeared at the House of Lords Built Environment Select Committee to give evidence on impact of holiday lets and second homes and the wider housing system pressures
- Presented alongside the ICB Co-Chair on importance of housing impacts on health to Devon MPs with requests to support joint asks
- Presented at the annual Devon Association of Local Councils (DALC) conference to foster engagement with the 300+ Devon Town and Parish Councils regarding housing need
- Ongoing discussions with Devon MPs
- Engagement with DLUHC housing strategy officials on housing market issues
- Sought to understand the housing challenges of sector-specific industries; particularly the NHS and wider social care system
- Aligned thinking, awareness and action on associated housing pressures such as refugee and asylum and supporting the 'Homes for Ukraine' scheme
- Exploring the issues, challenges and investment pipeline in the registered provider sector

5. Focus moving forward:

One of the key objectives of the Task Force was to establish and oversee the work of the Devon **Housing Commission**. With funding from Exeter University and the eleven local authorities, the independently chaired Commission will draw on a panel of experts to:

- Develop a clear picture of the problems across local housing markets and tenure types across geographic Devon with a wide-range of engagement and evidence gathering from communities, experts and partner agencies.
- Understand the future need for housing supply, tenure types and use that will aid the wider outcomes of prosperity, economic growth and social mobility
- Provide recommendations for social and housing policy changes required to respond to the crisis over the next decade
- Provide some practical recommendations that help to deliver, through cross partner collaboration improvement in stock use,

Agenda Item 12.

supply and tenure type and improving the quality of stock in line with our health and carbon reduction objectives.

The exact terms of reference and work programme will be determined once the Chair and Programme Director are in place.

The Commission will start its work by April 2023 and the University is currently recruiting to the role of Programme Director and Chair. The Commission is for a fixed twelve month timeline with its final report coming to the Devon Housing Task Force and all member authorities in early 2024.

There will be a communication plan agreed as part of this work and Members alongside the public will be kept up to speed with the work of the Commission.

2. **Devolution** - The Leader will respond verbally to this report request.

Councillor John Hart

Cabinet Member for Policy, Corporate and Asset Management

**Report of the Cabinet Member for
Highway Management**

I have been asked to report as follows for Full Council on 16 February 2023:

1. **By Councillor Biederman** on planning for road works and utility works, authorisation and process of obtaining permits and minimisation of congestion.
2. **By Councillor Connett** on road re-surfacing schemes in Kenton and Starcross and when they will be undertaken.
3. **By Councillor Hannaford** on Police enforcement of 20mph and 30mph speed zones in Devon, with or without traffic calming measures, and the Exeter City Council bylaws.
4. **By Councillor Wrigley** on recent cold and wet weather and its impact on potholes in the roads including issues such as emergency fixes, claims, repeated pothole fixes, economics of pothole repairs and economic impact of increased potholes and flooding and budgets for Gully clearance and Gully cleaning cycles.

Response

1. Road works undertaken by utility companies in Bickington

The local member and the residents' and ward councillors' frustrations with the quantity of streetworks activities that have taken place in Bickington and particularly on the B3233 over the last 12 months are understood. It is not possible to separate out the B3233 activity alone. However, I have reviewed the permitted activity in the street works register for any permits raised in 2022 which include 'Bickington' quoted in the works location. It appears there have been 154 completed sets of works, 47 Immediate (unplanned works of various durations), 73 Minor (3 days or less), 20 Standard (4 to 10 days) and 14 Major (11 days or more). Almost 60% of these works were undertaken by communications providers and 25% by the County Council with the remainder being for gas, electricity and water.

Any works promotor applying for a permit must do so through the Dft Street Manager software. The permit is then processed by the Network Operations Support Team (NOST) in accordance with the 'Devon Permit Scheme for Road and Street Works'.

On average 48,000 applications to carryout street work activity on our network are received each year. Towards the end of 2022, we saw this demand rise for a period.

When applying for a permit to work on the network, the works promotor is encouraged to check conflict their activity may have with other ongoing or planned streetworks activity. This is then reviewed when the permit is processed by NOST.

While permits provide the County Council with a capacity to arbitrate activity, this primarily relates to their coordination and overall management on the highway. If works promoters, whether utility or highway authority, need to undertake activity on the network and the works are properly coordinated to prevent conflicts along with the road space being available, preventing them from taking place can be challenging.

The utility companies, as Statutory Undertakers (SUs), have certain legal rights to access, lay, maintain, repair, or remove their apparatus. Where there are faults or limitations to services or they are out of service, SUs have a legal right to enter the highway and take necessary remedial actions to restore or repair the service without giving advanced notice to the County Council. Clearly, any planned activity is different and can be better coordinated and managed.

A permit scheme allows the County Council methods to engage with work promoters to improve coordination of activity on the network and regular coordination meetings are held to assist this process. Permit applications are assessed and decisions taken within enabling parameters prior to approval or rejection. If there are certain issues requiring resolution with an application, a permit modification request can be sent to the applicant to review and then resubmit the permit. Permits are not generally refused simply because other works have taken place recently in a locality.

If a submitted permit is flawed such that it cannot be resolved, then it is refused. Exceptionally, in critical situations with works in progress, a permit can be revoked however, this is a rare occurrence as a resolution would always initially be sought with the promoter.

The traffic management proposed, and work period is assessed by NOST as part of the permit approval to check it is appropriate and minimise congestion. Where a road closure is required, there is liaison with the local Neighbourhood Officer who assesses the diversion and either agrees or rejects it. If agreed and ahead of it coming into force it is distributed to key consultees, including the emergency services and the local elected member.

There are many imperatives placed on utility companies by both regulators and the Government. As you may be aware, the Government's 'National Infrastructure Strategy' is to achieve a minimum 85% gigabit capable coverage nationally by 2025. This has led to a substantial increase in communications providers and the introduction of reforms to roll back 'red tape' and make it simpler for the industry to roll out its infrastructure to achieve this target with much of this 'red tape' relating to planning and street works permissions.

The gas industry also has significant targets to replace its old iron mains across the country by 2032 under its 'Iron Mains Risk Reduction Programme' which is monitored and overseen by the gas regulator to ensure targets are being

reached. This is seeing significant works across much of our county by Wales & West Utilities and other gas utilities.

Equipment failure within temporary works is unfortunate. During the latter part of 2022, Wales and West Utilities carried out emergency gas main repairs in the B3233 at Bickington. It is important to acknowledge that these particular works were necessary for public safety and to ensure the gas supply is securely maintained to customers allowing them to heat homes and use their gas appliances. The utility company did respond promptly to the emergency situation and undertook critical safety work immediately.

Due to the location, a five-way set of temporary traffic lights with a number of pedestrian crossings incorporated had to be installed. This is a challenging and complex setup. I understand that the red time at some heads was longer than would normally be anticipated by road users. This resulted in complaints of the lights not working or road users believing this to be the case and running the red light due to unwillingness to await the phase completion. In addition, due to the complexity, several failures of the setup occurred. This was addressed promptly between Wales and West Utilities and their TM contractor having been escalated by the County Council following your report.

2. Road re-surfacing schemes in Kenton and Starcross

On the road resurfacing schemes in Kenton and Starcross the position is as follows:

Kenton – Advance drainage works are currently underway, resurfacing is planned to commence on 28th Feb. The planing of the old carriageway and resurfacing will take place at night (no noisy operations after midnight), the current completion date is 27th March.

Starcross – This scheme will be delivered in 2023/24. We are arranging the necessary consent with Network Rail to work adjacent to the main line. Once this permission has been granted we will be able to establish a works programme and will notify the local elected member of the start date.

3. Police enforcement of 20mph and 30 mph speed zones and Exeter Bylaws

Subject to Traffic Regulation Orders being valid and correct, the police will actively enforce in all speed limits.

However speed enforcement activity will be evidence led based on speed compliance and road safety. Due to resource and competing priorities there cannot be a realistic expectation for police officers to routinely enforce in speed limits across Devon and Cornwall.

There should not be a reliance on police enforcement to make a new or existing 20mph limit work effectively. For effective long term speed management, requests for enforcement in 20mph limits should be considered in conjunction with other behavioural change measures. Community Speed Watch (CSW) is one such measure that can be an effective way to both take routine action at a local level

and to help to help change longer term driver behaviours. Through the CSW activity undertaken by local volunteers, the police will issue warnings to any offending drivers detected. Where CSW activity identifies ongoing problems with speed compliance, then CSW will be supported with active police enforcement.

There are no known byelaws in Exeter that prevents or hinders enforcement of speed limits

4. Recent cold and wet weather and its impact on potholes in the roads, flooding and gully clearance

In 2022 the number of potholes recorded each month was well below the five year average. However due to long term under investment in both maintenance and renewals our assets have deteriorated and become very fragile. The winter weather this year has highlighted the fragility of the network

The number of insurance claims made for damage associated with potholes for the last five Januarys is

Jan '23 – 146

Jan '22 – 97

Jan '21 – 115

Jan '20 – 246

Jan '19 – 48

The number of potholes completed, between October and April are as follows.

17/18: 41,267

18/19: 33,495

19/20: 38,315

20/21: 31,238

21/22: 23,166

22/23: 15,628 (to 13th Feb).

As the Highway Authority we have a duty to maintain the network which we do in line with the County's Highway Safety Inspection Manual. This document which was approved by Cabinet in January 2021 lays out the frequency of inspections and time scales for repairs which vary between immediate and 28 days. As such, in order to maintain the safety of the network we operate a reactive approach to deal with defects identified by inspectors and reports received from members of the public via our 'report a problem' web pages. Due to the liability associated with failing to meet our posted timescales our contractor is often in the position where they are carrying out repairs in conditions that are outside of our specification such as standing surface water or low temperatures. This can lead to repairs that fail prematurely.

Rather than patching, the preference would be for other cost effective surface treatments e.g. surface dressing to be carried out in advance of the carriageway failing and potholes forming. However, due to the long term decline in the condition of the network and inadequate capital funding there are limited opportunities for this approach and more expensive renewals such as patching and resurfacing are the only option.

The triennial policy is only applied to gullies in urban areas. There are in the order of 120,000 rural gullies that continue to be cleaned on an annual cycle and approximately 80,500 cleaned every three years. In addition, there are approximately 4,000 gullies that are cleaned more frequently than annual in known problem locations.

In real terms, the budgets for cyclic drainage cleaning have remained static over the last decade. The greater challenge is a lack of resources to provide a reactive service to deal with issues that arise between scheduled cleans. This is particularly relevant when there are issues such as overgrown drainage features, broken or stuck covers or significant blockages that the standard gully wagons are unable to address. The additional allocation of money to the service for drainage and cyclic maintenance should assist in reducing some of the known problems.

Councillor Stuart Hughes

Cabinet Member for Highway Management

Report of the Cabinet Member for Climate Change, Environment and Transport

Introduction

I have been asked to report as follows for Full Council on 16 February 2023:

1. **By Councillor Hannaford** on the year-long trial in Kehelland Village School who had been using vegetable oil to heat its premises. It was asked if similar trials were being considered in Devon schools.
2. **By Councillor Connett** on what action the County Council takes to ensure developers and other operators regularly and properly clean the roads of mud in the area around development works at South West Exeter/Exminster.
3. **By Councillor Hannaford** on the Traffic Commissioner's sanctions and actions with Stagecoach.
4. **By Councillor Hannaford** on the current work being done to look at a potential bus franchising scheme in Devon.
5. **By Councillor Hannaford** on further delays to Marsh Barton Railway Station.
6. **By Councillor Hannaford** on Stagecoach and plans to axe three double decker school buses to St Peters.

Response

1. The use of hydrotreated vegetable oil for heating in schools

Hydrotreated Vegetable Oil (HVO) can be used as an alternative to kerosene (oil) heating fuel. Across the Devon maintained school estate there are approximately 70 kerosene-fired heating or hot water appliances. Following a review, it is likely that 95% or more of the existing kerosene-fired plant are suitable for conversion from kerosene to HVO. The conversion from kerosene to HVO is a relatively straight-forward procedure and can be undertaken by most competent oil-fired appliance technicians.

Where the provenance of HVO can be certified as being derived from 100% waste sources then there are strong arguments for a significantly lower carbon emissions fuel than traditional kerosene. However, evaluations of existing HVO liquid fuels in the market have included examples of fuel produced with virgin plant oils such as palm.

Further research would be necessary into the HVO market and local heating oil supply chain prior to promoting any trial for the conversion to HVO heating to the maintained school estate. If it is concluded following further research that Devon schools can access a robust and appropriately certified HVO supply chain as an

alternative to kerosene heating oil, then Devon would promote the opportunity for trialling such an approach to our maintained schools.

2. The cleaning of mud on the roads around development works at South West Exeter/Exminster

The issue of mud on the road was raised with developers and contractors across Devon in a pre-emptive email from officers in November 2022.

They were reminded of legislation on this and what they must do, as follows:

- *Please do everything possible to prevent mud being deposited on the road. This includes cleaning mud from vehicles before they are taken onto the road. The fact that the cleaning of mud off vehicles, machinery and their attachments may be commercially inconvenient is not a defence.*
- *Comply with all Planning Conditions imposed on the site, including the provision of adequate on-site wheel washing equipment be installed as appropriate.*
- *Ensure that labour and equipment is available and is suitable for the soil and weather conditions present. Where a contractor is used, ensure that prior agreement is reached on who is responsible for mud on road issues.*

This was in addition to the inclusion of planning conditions in decision notices. We plan to send reminders to developers and contractors on a regular basis.

At the South West Exeter site officers have raised this issue again at a scheme Co-ordination meeting on 30th January 2023. The developers and contractors were again reminded of their responsibilities, and officers continue to visit the site to ascertain which particular part of the site is causing problems.

3. The Traffic Commissioner's Sanctions and Stagecoach

The Traffic Commissioner for the West of England, Kevin Rooney, published the Outcome of the Stagecoach South West Public Inquiry held on 27 October on 7 November. This is available on line at [Decision for Stagecoach Devon Ltd t/a Stagecoach South West - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115555/Decision_for_Stagecoach_Devon_Ltd_t_a_Stagecoach_South_West_-_GOV.UK.pdf)

The sanctions were:

- To make an order to the value of £120,000 that the operator provide free travel for all passengers within the Exeter Plus travel zone for the weekends of 10/11 and 17/18 December. These free travel weekends took place
- A statement of intent that the operator will provide, at peak times and for two years, a dedicated member of staff at Exeter Bus Station to maintain displays and to provide advice to passengers, at an estimated cost of £70,000 per year. This resource is now in place.

We are very grateful for the actions taken by the Traffic Commissioner and the sanctions made. We continue to work closely with Stagecoach on improvements in service reliability, but we are not party to any further monitoring of commercial bus services by the Office of the Traffic Commissioner. However, Officers from our Transport Coordination Service report an improved situation on service delivery,

driver shortages and have received positive feedback from the new Managing Director of Stagecoach South West, Peter Knight.

4. Bus Franchising in Devon

While we await the outcome of the Devon Devolution deal, which potentially gives the County Council Franchising powers in the future, no work is currently taking place. Our focus has been on ensuring financial and operational sustainability of the current network. In order to release the County Council's funding allocation through the Government's National Bus Strategy we now have the Enhanced Bus Partnership in place with our local bus companies and a Bus Forum who met on Thursday 9 February 2023. This Forum gives a voice to interested parties, groups and stakeholders in the issues around, and development of, local bus services across the County.

5. Marsh Barton Rail Station

Marsh Barton station was planned to open this Winter; however, this will slip into Spring partly due to delays with the supply of building materials but also due to weather conditions, which can typically affect construction projects during the winter months. Sub-zero temperatures in December prevented concrete plants from opening and continued cold weather into the new year has delayed the tactile paving and retaining wall works, which has had knock-on impacts on the programme. The construction of the station is now substantially complete and the rail industry will soon be carrying out checks as part of the 'entry into service' process which will enable us to fix a date for when trains will begin stopping at Marsh Barton.

6. Removal of School Buses to St Peter's

Stagecoach has been operating services to St Peter's School on a commercial basis for a number of years. They have given the required notice to the Traffic Commissioner to withdraw them from April 2023 due to a steady decline in passenger numbers.

The majority of St Peter's students who use these services are not eligible for free transport to school from the County Council. Officers from our Transport Coordination Service are working with any families and students affected who are entitled to school transport from the County Council to make sure a suitable travel plan is found for them to access St Peter's.

Since 2011 it has been County Council policy to not financially support local bus services where the primary purpose of the service is to transport children who are not entitled to transport through the County Council's Education Transport policy. This would require additional funding which is not available. Officers have established that all children should still be able to use cross city-bus and train services to travel to St Peter's for the correct times. In some cases, this will require a change of bus along the route. They have also been assured by Stagecoach that there is sufficient capacity across the city network to cater for the demand taking into account the lower number of passengers involved.

Councillor Andrea Davis

Cabinet Member for Climate Change, Environment and Transport

**Report of the Cabinet Member for
Public Health, Communities and Equality**

Introduction

I will be reporting as follows for Full Council on 16 February 2022:

1. by Councillor Hannaford as follows:

- a) The current state of Covid and Flu infections in Devon.
- b) The latest rates of Strep A and Scarlet Fever in children across Devon, including in local schools.
- c) The access and availability of antibiotics for children in Devon.
- d) The medium and long term viability of local Pharmacies in Devon.

2. by Councillor Atkinson as follows:

The Environment Act 2021 requires the Government to set legally binding targets for environmental improvement, including waste reduction. The Government intends to introduce new interim targets to reduce different types of waste including plastic, glass, metal, paper and food to be achieved by 31 January 2028. The setting of these targets was delayed. Do we know why there has been a delay given the importance of the achieving Paris Agreement carbon reduction targets

These interim targets include to make the following per person reductions in municipal wastes:

- residual 29%
- food 50%
- plastic 45%
- paper and card 26%
- metal 42%
- glass 48%.

DCC 's waste reduction strategy is framed by reference to weight. How do these target's relate to our current measurement of waste? How close is Devon to meeting these currently and are they achievable within current budgets? Has government given DCC any policy guidance on how this is to be achieved or any additional funding to help local authorities like DCC achieve this?

If there is a gap and what plans are we making to meet these targets or seeking government support?

When will our new strategy be reported to this Council and scrutiny?

Responses

1. a) The current state of Covid and Flu infections in Devon.

- The latest available data we have for COVID-19 is an estimated infection rate of 1 in 65 people across the South West. Sub Regional data is only updated once per month, and it is yet to be updated this month. To date we have broadly followed the South West rate.
- There have been 13 deaths registered in the latest week with COVID-19 mentioned on the death certificate. During December we did see a peak in excess deaths in Devon, but this had continued to reduce post mid-December. At present there are 184 beds occupied by confirmed COVID-19 as the latest report through the CCG (7th February 2023).
- The latest weekly rate (2nd February Week 5) of flu infections 12.2 per 100,000 for Devon this compares to a South West figure of 9.0 per 100,000 compared to. Similar to COVID, we saw a peak in December and rates have continued to reduce since then. Similarly, positivity regionally peaked in December and has continued to reduce.

b) The latest rates of Strep A and Scarlett Fever in children across Devon, including in local schools.

- The figures below are absolute numbers and caution is required when interpreting numbers rather than rates. UK Health Security Agency (UKHSA) have not yet pulled together rates for the last month yet.
- In December 2022 there were 52 cases of scarlet fever in Devon reported to the UKSHA. In January 2023 case numbers dropped to 19.
- In December 2022 there were 10 cases of iGAS (Invasive Group A streptococcus) in Devon reported to the UKHSA. In January 2023 there were 11 cases reported.

c) The access and availability of antibiotics for children in Devon

- The audit undertaken by NHS Devon Medicines Optimisation team suggests that antibiotic prescribing was around double what expected to see for the month of December. The precise figure will need to be confirmed when the data is available in a few weeks.
- The Local Pharmaceutical Committee (LPC) has reported, and NHS Devon has observed sporadic availability issues with some liquid antibiotics, although alternative preparations and antibiotics appear to be generally available. It is important to note that information is a snapshot in time and the amount of stock held within pharmacies can't be monitored and may be variation in supplies they hold.
- Serious Shortage Protocols (SSPs) are designed to mitigate stock shortage issues; an SSP enables community pharmacists, in the event of a serious shortage of any prescribed item to supply in accordance with the protocol rather

than against a prescription, without going back to the prescriber – these are in place to treat Strep A, and these have recently been extended until 28/2/23.

- Current anecdotal feedback from the health system supports that if a patient needs a liquid antibiotic, there is currently enough to satisfy demand, either through stockholding in pharmacies, or employing appropriate mitigation through an SSP.

d) The medium and long-term viability of local Pharmacies in Devon.

NHS Devon take over responsibility for commissioning local pharmaceutical services from NHS England on the 1st April 2023. It will be the responsibility of the commissioner to ensure the medium and long-term viability of local pharmacies in Devon.

2. Waste Reduction

We have been waiting for the Government's responses to a number of consultations in relation to the Extended Producer Responsibility (EPR) regulations, the Deposit Return Scheme (D.R.S), Consistency and indeed new waste reduction targets. The EPR and D.R.S have now been published and Consistency is promised shortly. I do not know why there has been a delay in producing these responses. The Environment Secretary Therese Coffey recently told the Environmental Audit committee that a waste prevention programme would be published "very soon" and that she hoped work on consistent collections by local authorities of recyclable materials would soon be complete.

The Environment Improvement Plan 2023 (EIP 23) has recently been published setting out the interim materials targets for January 2028. The table below shows how the percentage reductions referred to in the question relate to weights (kg/head/year). The EIP 23 target refers to 'municipal residual waste'

LACW(kg/head/yr)	Food	Plastic	Paper/Card	Metal	Glass	Residue
2028 (Jan) Target	64	42	74	10	7	333
2042 (Dec) Target						287
Devon (21/22)*	31	17	14	3	3	218

*Devon figures based on DASWC Waste Audit (2022)

A waste compositional analysis has recently (October 2022) been carried out of 1800 residual waste bins in Devon and Torbay, so the table above includes our current position.

As you can see the Devon positions look favourable in relation to the targets set for 2028. There are some caveats which need to go with this position. We have not yet received any detail from the government in terms of the exact definitions, for example "total mass of residual waste excluding major mineral wastes" is referenced as the 2042 target and also we have used our own waste compositional analysis results when the Government may choose to use a national data set. As a high performing authority with a recycling rate of 55% we will continue to work with the district councils, focussing on optimising services and encouraging behavioural change to ensure that we continue to meet the targets set.

The Resource and Waste Management Strategy for Devon and Torbay 2020-2030 was only agreed at Cabinet on 8th September 2021, and there are currently no plans to produce a new strategy.

Councillor Roger Croad

Cabinet Member for Public Health, Communities and Equality

**Report of the Cabinet Member
Children's Services and Schools**

I have been asked to Report as follows for Full Council on 16 February 2023:

1. By Councillor Letch as follows:

- a) Have any Devon children been sent to the Bradford Children's Home or any other centre with an Ofsted report which is not good in the past 5 years?
- b) Where are Devon children currently accommodated out of county (numbers and locations)?
- c) What financial help do we offer to those members of the family who wish to visit out of county children and who would struggle to pay for the journey?
- d) If we have a financial help programme how is it advertised and administered?

2. By Councillor Connett as follows:

What actions the County Council is taking to welcome new foster parents?

3. By Councillor Hannaford as follows:

The MacAlistair Review of Children's Social Care, the Council's analysis of the recommendations, the Government response and how the Council will implement the action points.

4. By Councillor Hannaford as follows:

An update on our Child Friendly Devon initiative.

5. By Councillor Hannaford as follows:

Children's Services OFSTED Letter outcome, in addition to the media release, including the positive areas of progress.

6. By Councillor Aves as follows:

Please can the Cabinet member report on the following for this financial year 2022/23:

- a) How much was spent on consultants for Children's services and from which budget was it paid?
- b) What consultants did you employ and for what advice?
- c) For Children's Services what was the total spend on agency staff and how much was spent on permanent staff?

7. By Councillor Aves as follows:

- a) How are you making sure all parent/carers are receiving the information they need on any changes to Disabled Children and Young People services?
- b) Much of what is online is still not accessible enough or easy to navigate.

- c) Communication from the Disabled Children and Young People Services needs to be accessible and not just online as parents and carers are so very busy looking after their families that they need to be told what is happening.
- d) So much work has been done by officers recently to listen to families to improve the services which is commendable, so, what are you doing to make sure the short breaks and respite are suitable and being put in place fast enough to benefit all the children and young people by the end of this academic year at the latest?
- e) This was being talked about years ago, before the pandemic, and these families are still waiting. At that time I went to a session in Wonford with the officers to hear what parents and carers needed to support them and their children and young people. Why is this not already in place?

8. By Councillor Adams as follows:

Please may I have a report from the Portfolio holder for Children's Services (CS) on the following concerns from the recent OFSTED report 30/1/23:

- a) How are the children who come into DCC care going to be assured, in a more timely manner than at present, of arrangements for a permanent and secure home?
- b) How are CS management and IROS going to ensure that permanence for children in care is a top priority for social workers?
- c) How are CS management going to ensure that parents are invited to discussions about options for their children and how will this be a transparent process?
- d) How will the handover of important documentation be improved between social workers, in the light of the high turnover of social workers and how will they have command of the key issues?
- e) How will the regulations, procedures, assessments, delays and checks be improved for our children in care?
- f) How will all records be improved to become sharp and clear in all cases. How will this consistency be improved and achieved?
- g) How will DCC ensure permanent and stable leadership in Children's Services?
- h) How many agency staff are employed in CS compared to permanent staff? What is the data on this? What is the extra financial cost incurred by the use of agency staff for the Council?

9. By Councillor Whitton as follows:

Will the Cabinet Member please provide a report on the approximate number of seats on school transport sold to families at the current rate of £600 per seat per annum, and the total income this provides to the authority?

Will the Cabinet Member also provide an assessment of the amount expected to be raised by the proposed increase in the concessionary rate to £800 per seat per term and explain whether any calculations have been made in arriving at this figure as to the number of families currently purchasing a seat who would no longer do so at the higher rate?

10. By Councillor Bailey as follows:

Please provide a Cabinet Member report on the LADO (local authority designated officer) service and supply any reports that have been brought forward to cabinet or childrens scrutiny on the resourcing, function and performance of this service over the past 7 years.

Responses

1. Poor Ofsted Reports and Bradford Childrens Home

- a) Devon County Council have not placed any children with Bradford Children's home. 2 children have been placed in Children's Homes in Devon that have been rated inadequate in the past 5 years, and one in a home in Somerset, although all three homes have improved.

Provider	Provision	Overall Effectiveness	Last date of Inspection
Blue Elephant (Devon)	Burrough Farm	Requires Improvement	22 June 2022
Mutual Care (Devon)	Vennbridge	Requires Improvement	24 August 2022
Impact for Change (Somerset)	Holly Farm	Good	27 & 28 August 2022

In respect of the three Devon home providers, we know them to be well established and we have previously placed many young people with them. These providers have all previously delivered a robust offer that have achieved good outcomes. We are confident that where an 'Inadequate' OFSTED judgement has been made, this was the result of specific events within the home and not systemic issues. Following implementation of the agreed actions plans, all the homes listed above addressed the shortfalls identified by Ofsted. All of the homes secured improved judgements when they were subsequently inspected by OFSTED.

There are no out of county homes where we have young people placed that are currently rated inadequate. In the past 5 years we have not placed a young person in a home out of county that has an existing inadequate rating. Where a home has been rated inadequate during a period that a child has been in placed our placements team with input from social workers have reassessed the risk of the child staying in place and where appropriate they will have found alternative suitable provision.

We are required to consider the best interests of a child and it may be considered appropriate for a young person to remain in a rated inadequate home as part of the child's care plan.

The County Council works closely with our providers to address quality concerns through a quality monitoring process. This process includes regular quality monitoring meetings with the provider to monitor the progress made against the provider's action plan. For each young person, their social worker ensures that there is a robust safety plan in place, which includes increased visits and oversight of the young person's placement.

b) The table below shows where we have children in placements out of the County.

Placement Type (by LA of Placement)	Children's Homes	Fostering	Supported Living	Grand Total
Barnet		3		3
Birmingham		1	1	2
Blackpool	1		1	2
Brent	1	1	1	3
Bridgend		2		2
Bristol, City of		3		3
Calderdale	1			1
Cambridgeshire		1		1
Camden		1		1
Cornwall	2	31		33
Croydon		2	3	5
Cumbria	1			1
Denbighshire	2			2
Dorset	2	2		4
Ealing	1			1
Essex	1	1		2
Gloucestershire			1	1
Hampshire	2			2
Herefordshire, County of	2			2
Hertfordshire	1	1		2
Kent	1	4		5
Lambeth		1		1
Lancashire	1		1	2
Luton		3		3
Newport	1			1
North Northamptonshire	1			1
North Somerset		5		5
Northumberland	1			1
Plymouth		19	3	22

Powys	1			1
Redbridge		2		2
Rhondda Cynon Taf		1		1
Solihull		1		1
Somerset	9	14	4	27
Staffordshire	1		4	5
Stockton-on-Tees		1		1
Swindon		1	1	2
Telford and Wrekin		2		2
Torbay	5	38	11	54
Wakefield			1	1
Waltham Forest		1		1
Warwickshire		3		3
West Northamptonshire	1			1
Worcestershire	1			1
Grand Total	40	145	32	217

- c) We do not advertise financial help. Financial help is considered by social workers through the assessment and placement panel. Financial assistance may be available to families who wish to visit children out of county from the placements budget. Any support offered is dependent on the situation and needs of each individual child and is decided on that basis. We have improved our processes to ensure that there is rigorous oversight in place to ensure that authorising managers make consistent financial decisions within a clear scheme of delegation.
- d) We do not have a specific financial help programme because each child's situation and needs are considered on an individual basis.

2. Welcoming New Foster Parents

All applicants to Fostering Devon are matched to and linked with an experienced foster carer. This peer mentor supports the prospective carer through the period of preparation and assessment and into their role as newly approved carers. This is through answering questions, providing helpful resources, talking through the rewards and potential challenges of the role and meeting up with the fostering household when appropriate.

Every prospective carer is provided with a 4 day in person training course: 'The Skills to Foster'. This gives information on all aspects of fostering, learn about the role and expectations, allows them to meet experienced carers and others in the team around a child, hear from our care experienced children and young people and confirm that fostering is something that will suit their household.

We have recently introduced a 5th session on 'The Skills to Foster' course – an interactive session with several of our children in care, participation team members and assessing social workers. This means that prospective foster carers hear first-hand from our young people about their lived experience and importantly, our young people are directly involved in the assessment of prospective carers.

All applicants are invited to an online monthly learning workshop and support group. This offers additional preparation learning and provides an opportunity to get together informally with other prospective carers in the assessment process.

All applicants are allocated their own assessing social worker who not only is assessing them but provides lots of resources to help prepare them for the role of foster carer. All applicants have at least one learning session with one of our Promoting Stability Team members to assist with their understanding of a relational and therapeutic based approach to their care.

Working together as a management group, we are currently in the process of finalising written guidance to the transition period from prospective carers to newly approved foster carers. This will allow for an earlier introduction to their Supporting supervising social worker, a joint approach between the assessing and supervising team in relation to matching for their 1st child coming to the home and a smoother, more supportive handover at a time which can be very challenging for new carers. This will be completed over the next 2 month period and in place from 1st April.

3. MacAlistair Review of Children's Social Care

The MacAlistair Review was published on 22 May 2022 which has been followed up by the government's strategy 'Stable Homes, Built on Love' which was published on 2 February 2023 which is open for consultation until 11 May 2023. The Review has significant recommendations and I would welcome Children's Scrutiny's exploration of the implications for Devon.

4. Child Friendly Devon

Devon County Council's strategic plan sets out its commitment to being Child Friendly. We have been learning from other local authorities about their Child Friendly work, I recently visited Leeds to speak directly to the Child Friendly Leeds team and officers have already met with Leeds and colleagues from Warwickshire. Listening to the voice of children, young people and families is key to our understanding of what a child friendly county should look like. We have reached out to more than 150,000 people and received over 1,000 responses across a range of events and activities. This includes working together with of our Stand Up Speak Up, care experienced children and young people and our Youth Parliamentarians. We are also grateful for the continued support of the Children's Scrutiny Committee and their recommendations from their report.

We have brought together all of the feedback we have received so that we can develop a sustainable plan to ensure that we work with our partners, stakeholders, businesses, services, educators and community groups to make Devon the best place to grow up so that this is the county that creates big dreams and bright futures for our children, young people and families.

It has been really important that our new Chief Executive has the chance to see the work we have done so far and that she is part of planning how we can drive this work forward across our communities. Young people have told us what they want, we now need to get on with engaging others and delivering outcomes.

5. Children's Services OFSTED

Children's Services OFSTED Letter outcome, in addition to the media release, including the positive areas of progress.

The most recent Social Care Ofsted Inspection Report was published on 30 January 2023. I acknowledge that as a Council, we still have a long way to go to ensure that we routinely produce the evidence to Ofsted that our services are moving at the pace that they would like to see. However, we must also build on the positive aspects of the report. Our front-line managers are described as having “energy and commitment to implementing improvement plans”, and I am confident that with the arrival of Julian Wooster who recently led his previous service from inadequate to good, there is an opportunity for us to learn from his experience.

The report confirmed that no child was identified to be at immediate risk of significant harm, but consistency of good practice across the workforce, and oversight of the care and support young people receive were still falling short.

We are immediately addressing the permanency of arrangements for young people and we acknowledge that we can do more to secure options such as Special Guardianship Orders.

It is disappointing to me that Ofsted have again identified inconsistency in the quality of social work practice, including frontline management decisions.

Our immediate actions to tackle this has been through the implementation of a re shaped permanent and stable leadership team at head of service level. The reshape will ensure that children are supported more effectively by our teams and that the strengthened head of service tier will bring greater rigour and oversight so that the quality of assessments becomes more consistent and are completed in a timely way.

We are working tirelessly to reduce the number of vacancies and to improve our ratio of permanent staff. This will in time address consistency in ensuring that children and young people can build and grow a relationship with their social worker. Ofsted acknowledged that more social workers were choosing to stay working in Devon which they recognised to be a positive shift. Alongside this, they mentioned that caseloads are becoming more manageable which is very welcome but requires constant monitoring by the leadership team.

The report highlighted some very positive work that we are doing with young people. They saw clear evidence that we are listening to recommendations from young people who are, or who have been in their care, about how to improve children's services and that they could clearly see that children are actively involved in shaping the service and holding corporate parents to account. Inspectors specifically noted that children and young people's suggestions and representations are being taken seriously and implemented.

In addition, for disabled children who have short breaks in children's homes to provide respite for their parents or carers, Ofsted praised our social workers and told us that they demonstrate a good grasp of our disabled children and young people's evolving needs and how they communicate.

Ofsted looked at the work of our Independent Reviewing Officers, who monitor the care that young people are getting. Again, they acknowledged improvement in this area and remarked that they are increasingly confident in challenging or escalating issues when there has been delay in planning for children, and this is leading to improved outcomes for these children.

I also would like to mention the high praise for the work of the service in responding to supporting unaccompanied children asylum seekers and the work of the whole council in their reaction to supporting these families.

We are not the same council as we were when Ofsted first assessed our children's services as inadequate in 2020 but it's clear that there has not been enough improvement and it is not being delivered quickly enough.

Julian's arrival gives me great confidence that he knows what it takes to deliver the improvement required in Devon. I can already see from talking to staff, how his approach to bringing senior leaders together and ensuring staff are supported to do their jobs well, he has instantly changed the atmosphere and energy around the service.

With our new senior leadership, and with more focus than ever before on working with young people for young people, we will continue to work hard to drive the improvements needed to give the best possible start in life and the best opportunities for all our young people in this county. I want to acknowledge the recent wider corporate response in diverting resource to support children's services so that together, we demonstrate that we are truly putting children and families at the heart of the whole council's work.

We will also continue to work with the Government, our Commissioner and all our partners on delivering the outcomes for children that we all want to see.

6. Consultants for Children's services and spend on staff and agency staff

Total Spend on agency and permanent staff 22/23		
	Social Care	Education & Learning
Type of Spend	Spend 1st April to 31st January	Spend 1st April to 31st January
	£'000	£'000
Permanent Staff	40,858	7,539
Agency Staff	14,822	1,325
Total	55,680	8,864
Notes		
Figures exclude 100% traded services as all fully recoverable		
Education and Learning excludes DSG and other schools' grants		

A	B	C	D	E	F	G
How much was spent on consultants and what budget was it paid from?						
Role	Spend 1st April to 31st January (£)	Service	Budget Paid From	Notes		
Youth Justice Senior Consultant	87,000	Children's Social Care	Strategic Management Budget			
Interim Youth Justice Head of Service	80,000	Children's Social Care	Strategic Management Budget			
Corporate Parenting Improvement Lead	75,000	Children's Social Care	Strategic Management Budget			
Early Help Consultant	119,000	Children's Social Care	Restorative Transformation Budget / Strategic Management Budget	Partly funded by DfE grant		
Ofsted Preparation	100,000	Children's Social Care	Restorative Transformation Budget / Strategic Management Budget	Partly funded by DfE grant		
Interim Children's Improvement Support	112,000	Children's Social Care	Restorative Transformation Budget / Strategic Management Budget	Partly funded by DfE grant		
Interim Improvement Director	119,000	Children's Social Care	Restorative Transformation Budget / Strategic Management Budget	Partly funded by DfE grant		
Project Manager	101,000	Children's Social Care	Restorative Transformation Budget / Strategic Management Budget	Partly funded by DfE grant		
Children's Workforce Development Lead	109,000	Children's Social Care	Strategic Management Budget			
Practice Improvement Lead	110,000	Children's Social Care	I-People BCP Teams			
SEND Deputy Director	113,000	Education Service	Strategic Management Budget			
Head of Education (Strategy)	15,000	Education Service	Strategic Management Budget			
	1,140,000					

The indicative additional cost to the Council of using agency staff as opposed to permanent staff if the level of agency ran at 85 for the full year (current agency social worker number), would be £3.7 million.

7. Disabled Children and Young People Services and Communication

Much of what has been raised is referenced in our improvement plan. Our improvement plan has a clear governance structure where we are held to account for our improvement journey in forums such as Improvement Partnership Board chaired by our DfE Commissioner, progress is also monitored in our monthly Quality, Practice Review Meeting chaired by our Interim DCS (Julian Wooster) and attended by our tier 2, 3 and 4 leadership groups. We report regularly to Children's Scrutiny Committee and at our next Scrutiny meeting officers will be covering our response to the most recent Ofsted Monitoring visit in detail which will cover Cllr Adams and Cllr Aves report request.

With regards to a permanent and stable leadership team – we are currently advertising for the DCS and Deputy Chief Officer post. We have recently recruited a permanent tier 3 leadership team recruiting successfully to 9 out of 10 posts.

8. Concerns from the recent OFSTED report 30/1/23

Much of what has been raised is referenced in our improvement plan. Our improvement plan has a clear governance structure where we are held to account for our improvement journey in forums such as Improvement Partnership Board chaired by our DfE Commissioner, progress is also monitored in our monthly Quality, Practice Review Meeting chaired by our Interim DCS (Julian Wooster) and attended by our tier 2, 3 and 4 leadership groups. We report regularly to Children's Scrutiny Committee and at our next Scrutiny meeting officers will be covering our response to the most recent Ofsted Monitoring visit in detail which will cover Cllr Adams and Cllr Aves questions below.

With regards to a permanent and stable leadership team – we are currently advertising for the DCS and Deputy Chief Officer post. We have recently recruited a permanent tier 3 leadership team recruiting successfully to 9 out of 10 posts.

I can add that we have 85 agency social workers front door services and 120 perm social workers currently, so 43.6% are agency.

9. School Transport Policy, Consultation and Income.

There are currently 444 chargeable Post 16 passengers and 163 concessionary passengers, a total of 607 passengers.

The budgeted income in the 2022/23 financial year is £297,000. The anticipated increase in income in the 2023/24 financial year is £63,000 reflecting the increase will not come into effect until September 2023, the start of the 2023/24 academic year. A full year effect of this increase is anticipated to be in the region of £95,000.

This anticipated increase in income is lower than the full impact across all 607 passengers reflecting that some may find alternative transport arrangements.

Concessionary passengers utilise spare seats on contracted transport and any drop off in numbers would be a direct loss of income. However, some routes do have waiting lists. For Post 16 passengers there may be some savings in transport costs for the County Council should a passenger no longer travel on our contracted transport. These savings have not been calculated.

10. LADO (local authority designated officer) Service and Committee Reports

The LADO Annual Report has been uploaded onto the Devon Children and Families Partnership Annual Report page <https://www.dcfp.org.uk/document/annual-report-on-safeguarding-arrangements-2021-22/>. The link can be accessed from section 6 – but the direct link to the Report is here - [Education and skills websites - LADO Report 21-22 Annual report Final.pdf - All Documents \(sharepoint.com\)](#)

Copies of all agendas, report and minutes that are presented to Cabinet and Children's Scrutiny are available on the website – the function is available to search by Committee, key word and a range of dates - <https://democracy.devon.gov.uk/iedocsearch.aspx?adv=1&fc=1&SS=Text%20to%20search%20for>

Andrew Leadbetter

Cabinet Member

Children's Services and Schools

**Report of the Cabinet Member
Adult Social Care & Health Services**

I have been asked to Report on the following for Full Council on 16 February 2023:

1. By Councillor Hannaford as follows:

on the Adult Social Care Discharge Fund, including monies received, how and where it will be used, and expected KPI outcomes.

2. By Councillor Adams as follows:

In the light of reports of proposed closures of Day Care Centres across the county and the reduced the service at the Nichols Centre in Exeter, the Rushbrook in Totnes, and Abbey Rise in Tavistock from 5 days a week to 3 days a week as well as the proposal to merge the New Treetops in Exeter, and Pine Park in Honiton which provide respite care, Please may I have a report from the portfolio holder for Adult Social Care on the following:

- a) Why have numbers of clients attending Day Care dropped?
- b) What are the numbers attending pre and post Covid?
- c) If there are plans to “do things differently” and provide alternative provision how will these plans ensure quality care, broad social contact, consistency, and respite for families who need the services?
- d) How will you ensure, when recruitment is difficult, that continuity, quality of care and support will be upheld?

3. By Councillor Bailey as follows:

Please provide a Cabinet Member report on any live consultations relating to potential reduction/closure of day care and respite facilities in Devon.

Responses

1. Adult Social Care Discharge Fund 2022/23

- Following the announcement of £500m additional national adult social care (ASC) funding in September 2022, planning requirements were defined by NHS England and plans submitted for Devon in December were as follows:

Source	Contribution £
Local Authority allocation	2,979,610
NHS Devon ICB allocation (Devon HWB footprint)	3,796,982
Total	6,776,592

- National guidance states the fund can be used flexibly to best enable the discharge of patients from hospital to the most appropriate location for their ongoing care.

- Funding should prioritise those approaches that are most effective in freeing up the maximum number of hospital beds and reducing bed days lost.
- From the start of the pandemic until the end of March 2022, the government required systems to implement a “discharge to assess” model. This meant the first four weeks of care after leaving hospital was free of charge, enabling the assessment of longer term needs to take place in the most appropriate setting.
- From 1st April 2022, the national funding for this model ceased. NHS Devon and Devon County Council agreed to continue the model and to invest in additional personal care to enable that.
- One-off sources of funds were identified but did not cover the full year effect of costs so the recent grant to Devon enables the current model to continue until the end of the year.
- DCC and the Devon ICB agreed to spend the total available as follows:

Scheme Name	Sub type	ICB £m	DCC £m	Total £m	Volumes
Hospital discharge residential/nursing	Pathway 2: Step down	1.834		1.834	480 packages
Hospital discharge residential/nursing	Pathway 3: Discharge to assess beds	1.963	0.571	2.534	480 packages
Hospital discharge agency	Pathway 1: Additional personal care		2.409	2.409	83,484 hours
Totals (rounded)		3.797	2.98	6.777	

- The ASC Discharge funding is required to be pooled within the Better Care Fund (BCF).
- Progress reports to NHS England commenced in January and are required every two weeks.
- At 1st February total spending was £5.365m. The fund is expected to be fully spent by the end of March 2023.

2. Day Care Centres

a) Why have numbers of clients attending Day Care dropped?

Promoting Independence is a central approach to adult social care in Devon. Our Reaching for Independence Service was developed through engagement with people and families using our services. People told us about their needs, expectations and the aspirations they have; to be independent, to learn life skills and not to be dependent on long-term care. Many people who accessed day care have accessed services provided by our Reaching for Independence team and are achieving outcomes that they could not have achieved in long term day care.

b) **What are the numbers attending pre and post Covid?**

At the start of the pandemic around 85 people were accessing our in-house day care centres, this was 50% of total capacity at the time. Currently there are 17 people accessing our in-house day care centres.

c) **If there are plans to “do things differently” and provide alternative provision how will these plans ensure quality care, broad social contact, consistency, and respite for families who need the services**

We are continually looking at how we can make improvements to all care services provided in Devon to ensure people accessing them can achieve the best outcomes. When we consider making improvements to services; how they are provided, received and the impact they have, we have a statutory obligation to undertake engagement and consultation. We also have a statutory duty to meet Care Act eligible needs and we work flexibly with individuals to do this.

Our overall satisfaction ratings for service users and their quality-of-life indicator based on survey questions about their lived experience were among the best in the country, ranking 15/150 and 5/150 respectively, and our provider quality ratings in Devon judged by the Care Quality Commission exceed the national, regional and comparator authority averages with 79% of community-based services and 89% of care homes in Devon are rated Good or Outstanding.

d) **How will you ensure, when recruitment is difficult, that continuity, quality of care and support will be upheld?**

Recruitment and retention challenges are long standing in adult social care nationally. Locally we have a number of programmes to support recruitment and retention, these include our Proud 2 Care campaigns, our ‘grow your own’ programme, an apprenticeship scheme for social workers and occupational therapist, and also as part of the ICS we have an international recruitment programme.

3. Consultations relating to day care

Any consultations that will need to take place as a result of the final agreed budget will be published week commencing 20 February

James McInnes

Cabinet Member

Adult Social Care and Health Services

Report of the Cabinet Member for Economic Recovery and Skills

I will be reporting as follows for Full Council on 16 February 2023:

1. By Councillor Hannaford as follows:

Outline some key future projects in Devon to access more levelling up funding, and other economic development opportunities to promote skills, jobs, and prosperity in Devon.

2. By Councillor Hannaford as follows:

Coastal Communities Funding, what treasury mechanisms are in place to replicate this initiative, to effectively ensure Devon's coastal communities continue to access regeneration funding.

Responses

1. Levelling Up Funding and Future Opportunities

This funding was announced in 2020, to provide investment in communities that will create new jobs, drive economic growth, help restore people's pride in the places where they live, and spread opportunity more equally. Themes include improving transport links, community regeneration and restoring local heritage sites. Local Authorities can bid for the funding, with County Councils with transport powers able to submit one transport-related bid.

In the recent Round Two announcements Devon partners have secured funding of £45.1 million for the following three projects:

- Exmouth Dinan Way Extension
- West Devon Transport Hub and
- Appledore Clean Maritime Innovation Centre

The County Council led the Exmouth bid and will be delivering this and the West Devon Transport Hub, working with colleagues at West Devon Borough Council. The Economy Team are working with Torridge District Council, the Freeport and others to support the exciting Appledore scheme

Future Levelling Up funding bids – we are anticipating Round Three of the fund to be announced later in 2023 and we have a pipeline of opportunities being developed by District partners who we are engaging with.

Other Economic Development Opportunities

The Levelling Up White Paper set out clear ambitions to address disparities, focusing on regenerating places, upskilling people, improving productivity, boosting economic growth, encouraging innovation and creating jobs.

The UK Shared Prosperity Funding (SPF) is one funding source to support the delivery of these ambitions, managed by District Councils. One element of the fund has been allocated to upper tier authorities to deliver the national Multiply Programme. Our allocation is £3m, which supports everyday maths skills for people across Devon without GCSE's. This is being delivered through the Economy Service.

In 2022 the Council worked with the District Councils to pull together an Investment Zones bid, which identifies a strong set of projects across the County to support jobs, housing and prosperity should further funding be made available.

The Plymouth and South Devon Freeport, provides £25m seed capital, to deliver employment infrastructure in South Devon. The Freeport tax and customs benefits are designed to generate new inward investment leading to over 3500 new jobs in the Freeport area.

The Exeter and East Devon Enterprise Zone also continues to invest retained business rates in economic growth and jobs in the East of Exeter area, including at Skypark and Exeter Science Park. The latest investment, the Long Lane widening scheme which supports further employment provision which is opening later this month.

Specifically on Skills we have been successful in a bid to the Department for Education's Skills Bootcamp programme and have secured a £3.5m technical skills programme that will deliver around 1,500 Level 3-6 skills opportunities across the economy. This investment can provide a fast-track route into key areas of the economy, such as engineering, digital, agri-tech, health and other careers and will support 16-week quick courses allowing employers and potential employees to be matched with a relevant training opportunity.

The HotSW LEP's Digital Programme offered funding to support digital skills, and the Council was successful in a £1.5m bid to deliver digital and leadership skills for business.

Working with partners, the Council is currently planning to launch an extended employment programme later in March, which will seek to support those who have a longer-term barrier or health related barrier to work or training. Funding from the Council is leveraging additional funds from Department for Education and Department for Work and Pensions. Working across the entire County, the programme will include a range of tailored support for young people in our corporate care, those with a SEND need and, more widely, those adults with a wider barrier to work (working closely with Job Centre Plus). As part of this provision, the authority will also be integrating its approach to traineeships into this approach, working closely with Department for Education and Department for Work and Pensions.

Support for Devon's key growth sectors such as agri-tech continues and the Future Farming Resilience Programme provides support for whole farm planning, resilience, accessing finance and innovation. Options to draw in further funds under the district council led UK Shared Prosperity Fund Investment Funds are being explored, with the County Council proposing to extend work with the farming and food sector and offering general business support, enhancing the Growth Hub.

The 'Made in Devon' scheme is an excellent opportunity for Devon businesses to gain recognition for their local credentials and their quality and compliance through Buy with Confidence providing promotional opportunities to its members. Over the next 12 months the intention is for this scheme to become self-financing, drawing in funding from businesses in support for promotion and marketing campaigns.

Opportunities to support low carbon and working with our land based sector are being pursued, with proposals being developed with the Co-op Foundation Carbon Innovation Fund for £200k and also the Innovate UK NetZero Living Fast Followers Programme for up to £300k. These will be a blend of business support, skills and training as well as supporting our ambitions set out in the Devon Carbon Plan.

2. Coastal Communities funding

This was ceased at the time of Levelling Up funding coming into place. District Councils and Unitaries can choose to support coastal areas within the scope of the UK Shared Prosperity Fund. Several of the Investment Plans produced by District Councils do have measures to support the regeneration of their coastal and rural communities.

Councillor Rufus Gilbert

Cabinet Member for Economic Recovery and Skills

**Report of the Cabinet Member
Organisational Development, Workforce & Digital
Transformation**

I have been asked to Report by Councillor Atkinson for Full Council on 16 February 2023 on:

DCC has difficulty in recruiting key staff in a number of areas and it was reported to the CIRC's that this is because the salary is not enough to attract legal staff for instance or prevent them from leaving to join the private sector

Using data from the ONS, the BBC Newsnight reported in December 22 on how much public sector pay has fallen behind that of private sector pay since 2010. See <https://www.bbc.co.uk/news/55089900>. In this article the IFS warned: "The continuing fall in public sector pay relative to the private sector poses recruitment and retention challenges for public services and could threaten the government's ability to deliver on its public service objectives."

The BBC reported: "Using inflation-adjusted average weekly earnings, total pay in public sector today is around 5% lower (£597 vs £626), having been 6% higher 12 years ago. Relative to 2010, private sector pay is *up* 2.6%, but public sector pay is *down* 8.15% (though note that with most of the fall happening since February 2021) ...

It is understood that this is a complex area. Can the Cabinet Member report on how relative to the private sector nationally and locally salaries in Devon local government have fared since 2010 and what steps DCC can take to retain and recruit staff across the board. Would an increased pay settlement help? If so, what steps will the cabinet take to seek a better pay settlement for staff?

Response

The National and Local picture since 2010

The BBC shows public sector pay, the strict definition of public sector pay is NHS, Police, Teachers, Fire Service and Armed Forces. At Devon County Council and other local authorities, we are considered Local Government workers and our pay is determined nationally through the National Joint Council (NJC). We are therefore bound by the agreements that are made through this group.

The NJC agree 43 spinal column points for pay each local authority then applies a grading structure against this. We determine the grade for each role by applying the Greater London Provincial Councils (GLPC) job evaluation

scheme which identifies criteria and scoring for different elements of each role. This allows us to demonstrate that we are paying our staff fairly across a range of roles.

We have not been able to find direct comparisons between local government pay and private sector pay over the last 10 years, to research and provide this data, more time would be needed. However, the BBC article gives a good overview.

What steps can DCC take to retain and recruit staff across the board

Pay and Reward

A recent national survey undertaken by Midland HR asked 1250 office workers from organisations across the UK and Ireland what makes a difference for them at work. 70% of respondents said increased pay would help them through the cost of living crisis, 32% said flexible working and 24% said working from home. We already offer flexible working and working from home for the majority of our staff.

There are a number of things that we do to try to attract and retain staff where pay is not equivalent to private sector roles and HR professionals are available to support service areas to explore these options.

- Market supplements – agreements to supplement salaries to address the pay gap
- Retention bonuses
- Recruitment schemes such as refer a friend.
- Advertising strategies including the use of agencies, social media, CV libraries, branding and research to understand what will attract applicants to the organisation.
- Grow our own approaches particularly utilising apprenticeships and career progression schemes
- Promote the benefits of working in local authorities, which includes higher average holiday entitlement, working hours, access to apprenticeships, flexible working and home working, Local Government Pension Schemes etc

Increased pay settlement

Pay negotiations are carried out nationally and our views are incorporated into the process via Pay Briefings hosted by regional councils. These are attended by Cabinet Members and Councils Leaders as well as key officers and additionally we provide written feedback to key questions.

Whilst on the face of it an increased pay settlement would narrow the gap between public and private sector pay, it would also put additional pressure on Council and School budgets. Last year the pay deal to meet the basic requirement of maintaining headroom from the living wage was higher than budgeted for by individual Councils.

The picture in Legal Services

It is correct that there are a number of pressures affecting legal service, not least the increasing demands for legal support in respect of childcare and safeguarding adults. The external legal market remains very competitive which does create a pressure when recruiting trained professional. This has been recognised and additional budget has been allocated in 2023/24 to assist with resources in this area. The service will continue to consider further options to assist with recruitment, retention and development including benchmarking against neighbouring local authorities.

Andrew Saywell

Cabinet Member

Organisational Development, Workforce & Digital Transformation

