

*County Council
Thursday, 5th October, 2017*

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

Walking and Cycling Facilities

County Hall is a pleasant twenty minute walk from Exeter City Centre. Exeter is also one of six National Cycle demonstration towns and has an excellent network of dedicated cycle routes – a map can be found at: <https://new.devon.gov.uk/travel/cycle/>. Cycle stands are outside County Hall Main Reception and Lucombe House

Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

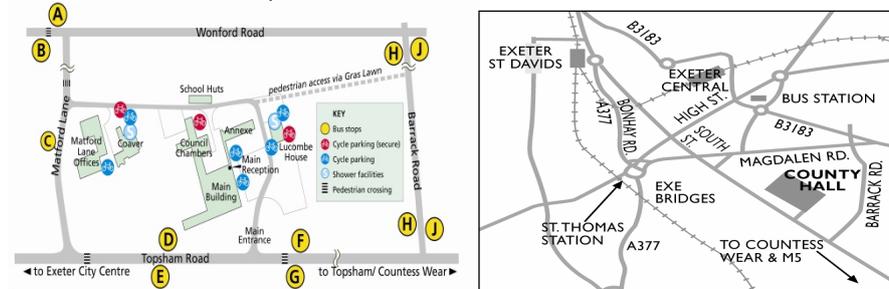
Car Sharing

Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

Car Parking and Security

There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



NB **A** **J** Denotes bus stops

Fire/Emergency Instructions

In the event of a fire or other emergency please note the following instructions. If you discover a fire, immediately inform the nearest member of staff and/or operate the nearest fire alarm. On hearing a fire alarm leave the building by the nearest available exit. The County Hall Stewardesses will help direct you. Do not stop to collect personal belongings and do not use the lifts. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair, as shown on the site map above. Please remain at the assembly point until you receive further instructions. Do not re-enter the building without being told to do so.

First Aid

Contact Main Reception (extension 2504) for a trained first aider.



DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

27 September 2017

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 5th October, 2017 at 2.15 pm.

A handwritten signature in black ink that reads 'Phil Dorrey'.

Chief Executive

[Prayers will be offered by the Reverend Derek Coren, part time pastor at West Down, Cheriton Bishop, Exeter, at **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

A G E N D A

1 Honorary Alderman - Ceremony of Conferment

2 Apologies for Absence

3 Minutes (Pages 1 - 6)

To approve as a correct record and sign the minutes of the meeting held on 20 July 2017.

4 Chairman's Announcements

5 Items Requiring Urgent Attention

6 Public Participation: Petitions, Questions and Representations

Petitions, Questions or Representations from Members of the public in line with the Council's Petitions and Public Participation Schemes.

7 Petitions from Members of the Council

8 Questions from Members of the Council

Answers to questions from Members of the Council pursuant to Standing Order 17.

FRAMEWORK DECISION

Nil

OTHER MATTERS

9 Cabinet Member Reports

To consider reports from Cabinet Members.

10 Minutes

To receive and approve the Minutes of the under mentioned Committees:

- a **Standards Committee - 29 August 2017** (Pages 7 - 14)
- b **Appeals Committee - 4 September 2017** (Pages 15 - 18)
- c **Development Management Committee - 6 September 2017** (Pages 19 - 22)
- d **Procedures Committee - 12 September 2017** (Pages 23 - 30)
- e **Audit Committee - 14 September 2017** (Pages 31 - 34)
- f **Investment & Pension Fund Committee - 15 September 2017** (Pages 35 - 38)
- g **Appointments & Remuneration Committee - 27 September 2017**
The minutes from 27 September 2017 will be published [here](#) shortly, but a copy will be made available at the meeting.
- h **Health and Adult Care Scrutiny Committee - 25 July and 21 September 2017**
(Pages 39 - 48)
- i **Children's Scrutiny Committee - 11 September 2017** (Pages 49 - 54)
- j **Corporate Infrastructure & Regulatory Services Committee - 26 September 2017**

The minutes from 26 September 2017 will be published [here](#) shortly, but a copy will be made available at the meeting.

NOTICES OF MOTION

11 Schools Funding - Outturn Surplus and Re-allocation of Funds (Minute 30 - 20 July 2017)

To receive and consider the recommendations of the Cabinet (Minute 55a) relating to the following Notice of Motion submitted previously to the Council by Councillor Greenslade and referred thereto in accordance with Standing Order 8(2), namely

'(1) that the County Council notes that earmarked reserves at outturn for 2016/17, excluding carry forwards, increased in year by £15,299 m with no spending being made against the reserves for budget management, business rates risk, emergency, and on street parking in 2016/17.

Accordingly County Council agrees to compensate all school budgets, which had suffered a £33 per pupil cut in 2017/18, by the equivalent of the loss in their budgets consequent upon this decision taken in setting the County Council's budget for 2017/18.

The cost of this action, approx £2.2m, be met from the earmarked reserve for budget management.

(2) that the County Council organises a round table at which representatives of the Devon schools community debate with all the MP's representing new Devon the issue of future school funding including a revised schools funding formula.'

Having had regard to the aforementioned, the factual briefing/position statement on the matter set out in Report CSO/17/24 and other suggestions or alternatives considered at that meeting, the Cabinet subsequently resolved:

(i) that in light of the actions already undertaken and taken by Cabinet Members, Officers and the wider education community to secure fairer funding for schools, outlined in Report CSO/17/24, the County Council be recommended to take no further action on the Notice of Motion;

(ii) that the Council continue to work with the f40 Group (which represents the lowest funded local authorities) to secure fairer funding for education.

12 Police & Crime Commissioner (Minute 31 - 20 July 2017)

To receive and consider the recommendations of the Cabinet (Minute 55b) relating to the following Notice of Motion submitted previously to the Council by Councillor Dewhurst and referred thereto in accordance with Standing Order 8(2), namely

Devon County Council is extremely alarmed at the proposal by the Police and Crime Commissioner, Alison Hernandez, to drastically reduce the number of PCSOs, the eyes and ears of the force. At a recent consultation by South Devon and Dartmoor Community Safety Partnership, Neighbourhood Watch Co-ordinators, Parish, Town and Borough Councillors, District Councillors and County Councillors described the proposed changes as "dangerous". Members are hearing reports from constituents of massive increases in low-level crime in our towns, villages and rural areas.

Additionally there is a general concern that the Police and Crime Commissioner is unfit and unsuitable for her job after making tactless comments about being "really interested" in licensed firearm owners being allowed to act during terrorist incidents. We endorse Deputy Chief Constable Paul Netherton's view that "Under no circumstances would we want members of the public to arm themselves with firearms".

This Council believes that the Police and Crime Commissioner is wrong to propose reductions in Neighbourhood Policing, that proposals to utilise domestically owned firearms is a crass and inadequate response to mounting concerns about police cuts and that her proposal to appoint a Deputy Police and Crime Commissioner is an appointment that is just not needed in these cash-strapped times.

We therefore request the Chief Executive to contact the Home Secretary requesting she use whatever powers may be available to remove Ms Hernandez from office allowing Devon and Cornwall Police to continue the fight against crime at all levels and that Members of Devon County Council show their lack of support for the Police and Crime Commissioner by voting "No Confidence" in her office'.

Having had regard to the aforementioned, the factual briefing/position statement on the matter set out in Report CSO/17/24 and other suggestions or alternatives considered at that meeting, the Cabinet subsequently resolved:

(i) that, acknowledging the Chief Constable and the Police and Crime Commissioner are aware that the Neighbouring Policing Review outlined in Report CS/17/24 has created uncertainty within local communities the Chief Officer for Community, Public Health, Environment & Prosperity be asked to liaise with the Police and Crime Commissioner to ensure that - as the review is taken forward - there is an opportunity for communities to contribute effectively to the review and that County Councillors are kept Member informed of developments relating to their electoral divisions;

(ii) that the Cabinet endorses the view of the Deputy Chief Constable that allowing licensed firearms owners to act during terrorist incidents would be wholly inappropriate.; and

(iii) that in light of the foregoing, and in accordance with Standing Orders 6 & 8, the County Council the County Council be recommended to take no further action on the Notice of Motion.

13 Paris Accord on Climate Change (Minute 29 - 20 July 2017)

To receive and consider the recommendations of the Cabinet (Minute 55c) relating to the following Notice of Motion submitted previously to the Council by Councillor Hook and referred thereto in accordance with Standing Order 8(2), namely

The people of Devon, along with vast numbers of people around the globe, were dismayed at the pronouncement from President Trump that he was pulling America out of the Paris Accord on Climate Change. This is a move that will impact negatively on all residents of this planet and is a step back in time. Climate Change is the single biggest threat to mankind, and the policies now to be followed by President Trump will cause it to accelerate. His policies will also undermine the health of the planet and the people who are sustained by the planet. Pollution of water and air are already killing hundreds of thousands prematurely.

This Council condemns President Trump for the action he has taken and will join with others from around the world in conveying to him this error of judgement on his part and request an early reconsideration and reversal of this decision."

Having had regard to the aforementioned, the factual briefing/position statement on the matter set out in Report CSO/17/24 and other suggestions or alternatives considered at that meeting, the Cabinet subsequently resolved:

that the County Council (a) endorses the sentiment of the Notice of Motion, recognising that the decision of POTUS is regrettable and, potentially, destabilising and damaging to global efforts to tackle climate change through a reduction in greenhouse gas emissions; (b) reaffirms its [the Council's] commitment to the implementation of its Energy Policy, Strategy and Action Plan as the most effective response to this situation and, consequently, (c) the County Council be recommended to take no further action on the Notice of Motion.

14 Plastic Free Coastlines

Councillor Biederman to move:

'This Devon County Council supports Plastic Free Coastlines, committing to plastic free alternatives and supporting plastic free initiatives within Devon.

The Council commits to lead by example to remove single-use plastic items from its premises. Also it must encourage plastic free initiatives, promoting the campaign and supporting its events.

A representative of this council will become a member of the Plastic Free Coastlines Steering group'.

15 **Health and Adult Care Scrutiny - Community Role and Safeguarding Future Buildings and Place Based Health Services**

Councillor Shaw to move:

The County Council regrets the failure of the Health and Adult Care Scrutiny Committee on 25 July 2017 to be seen to scrutinise the decision of NEW Devon Clinical Commissioning Group to close community hospital beds in Honiton, Okehampton, Seaton and Whipton, especially in the light of the subsequent urgent recommendation by the head of the NHS in England, Simon Stevens, which is supported by evidence from the Royal College of Emergency Medicine and the King's Fund, that more beds need be made available for the coming winter.

Noting also the Standards Committee's conclusion that events at the Scrutiny Committee meeting 'may not reflect well on individual members of the Council or upon the Council as a whole', its recommendations for the Committee's Chair and its general recommendations to both members and chairs of Scrutiny Committees, the County Council therefore;

1. requests the Health and Adult Care Scrutiny Committee to scrutinise those issues identified by the County Solicitor in her paper for 25 July which were not directly and fully addressed at the Scrutiny Committee in that meeting;

2. consistent with the Council's 'community champion' role, alerts the Secretary of State to the strength of feeling in the locality at the overall STP process throughout the County and the significant numbers of objections made by the public to the CCG's proposals and that in the interests of democracy and democratic accountability he might wish to satisfy himself that all relevant process were properly undertaken and assessed and that the CCGs subsequent decisions are supported by the evidence; and

3. welcomes the agreement of the Health and Adult Care Scrutiny Committee to examine, subject to the advice of the County Solicitor, means of safeguarding community hospital buildings throughout Devon as facilities for the provision of place-based health services.

16 **National Funding Formula for Schools**

Councillor Greenslade to move:

County Council expresses its considerable disappointment at the Government's recently announced proposals which notionally leave Devon Schoolchildren with a funding gap of £268 below the national average. Additionally considerable concern is also registered that Devon has not done well with the high needs block allocation compared to others which will increase pressure on budgets for SEN.

These concerns be communicated on an all party basis to the Government and all Devon MP's.

17 Ethical Care Council

Councillor Hodgson to Move;

This Council commits to becoming an Ethical Care Council by commissioning homecare services which adhere to an Ethical Care Charter. This will establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which a) do not routinely short-change clients and b) ensure the recruitment and retention of a more stable workforce through more sustainable pay (based on a minimum –genuine- living wage), conditions and training levels. On that basis we will adopt and sign UNISON's Ethical Care Charter.

(NB: Some local authorities have already taken steps to ensure the provision of decent quality, dignified care. 30 councils have signed an Ethical Care Charter and implemented practical steps to improve care for vulnerable local people. UNISON's Ethical Care Charter (www.unison.org.uk/content/uploads/2013/11/Online-Catalogue220142.pdf) offers a practical action plan and it has been endorsed by a cross-party group of MPs and the British Medical Association).

18 20 MPH Speed Limits

Councillor Hodgson to move:

'With rising concerns about road safety for pedestrian and cyclists and in response to the growing calls for 20 mph speed limits in villages, this Council will welcome and consider proposals from Town and Parish Councils for 20 mph speed limits in residential areas, town and village centres and associated approach roads'.

(NB: The 20 mph zones in London are estimated to already be saving more than £20 million in crash prevention annually. The cost of road signs is remarkably low. For example, Portsmouth converted 1200 streets to 20mph for just over £500,000 – far cheaper than the alternative ideas put forward, which came to £2.2 million. It's roughly seven times more cost effective, in terms of speed reduction achieved, to introduce a 20 mph limit across a wide area, than to spend the same sum on isolated, physically calmed zones. The police are obliged to enforce all speed limits. The evidence is that drivers drop their speed when a 20 mph limit is enforced).

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Minutes of the Cabinet, Health & Wellbeing Board and Devon Pension Board do not form part of this agenda but can be accessed as follows

Cabinet-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=133&Year=0>

Health & Wellbeing Board-

<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=166&Year=0>

Devon Pension Board-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=185&Year=0>

Access to Information

Copies of any memoranda, reports or minutes, which are not circulated herewith or as separate documents, may be made available to Members upon request. A Minute that relates to a matter which has been delegated to any Committee the Minutes of which are contained herein is denoted by an asterisk in the margin. Minutes of the Council's Cabinet and of the Health & Wellbeing Board and the Devon Pension Board do not form part of this Agenda but links are provided for convenient reference.

Agenda and decisions of the Council, the Cabinet and of any Committees contained herein, together with the Health & Wellbeing Board and the Devon Pension Board referred to above, are published on the County Council's Website and can be accessed via the Modern.Gov App, available from all the usual stores.

Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Questions from Councillors

A Member of the Council may ask the Leader or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place.

Public Participation

Any member of the public resident in the administrative area of the county of Devon may submit a formal written question to the Leader upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place

Alternatively, any member of the public who lives in the area served by the County Council may make oral representations on any matter relating to the functions of the Council. Such representations will be limited to 3 minutes, within the overall time allowed of 30 minutes. If you wish to make such a representation, you should, via email or letter, submit a brief outline of the points or issues you wish to raise before 12 noon 4 working days before the meeting takes place.

For further details please contact Karen Strahan on 01392 382264 or look at our website at:

<http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/>

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

Council Chamber Seating

MAY 2017

