

*County Council*  
Thursday, 23rd May, 2024



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**DEVON COUNTY COUNCIL**

To: Members of Devon County Council

County Hall  
Exeter  
EX2 4QD

15 May 2024

**Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 23rd May, 2024 at 2.15 pm.**

A handwritten signature in dark ink, consisting of a large, stylized initial 'D' followed by a series of loops and a long horizontal stroke.

Chief Executive

[The Chair's guest speaker, Leroy Venn will speak on his experience of being the Council's first apprentice and the value of such programmes at **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

**A G E N D A**

1. **Apologies for Absence**
2. **Election of Chair**
3. **Appointment of Vice-Chair**
4. **Appointment of Leader of the Council**
5. **Appointment of Deputy Leader of the Council**
6. **Cabinet Members and Allocation of Remits** (Pages 1 - 26)

The Leader of the Council to move: "that the Council note that Members shown in the Appendix, circulated with the agenda, will be appointed to hold office until the date of the quadrennial Elections in 2025, together with the remits shown therein".

**7. Declarations of Interest**

Members of the Council will declare any interests they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

The other registrable interests of Councillors of Devon County Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes - [PDF A list of county councillors who are also district, borough, city, parish or town councillors](#)

**8. Minutes**

To approve as a correct record and sign the minutes of the meeting held on 15 February 2024 and the special meeting of 29 April 2024.

**9. Announcements**

**10. Important Announcements from the Leader and Cabinet Members**

In line with the Cabinet Procedure Rules, the Council can receive any important updates or announcements from the Leader and/or Cabinet Members that cannot reasonably wait. Members of the Council will be permitted to ask a brief question in response to any verbal announcement made.

**11. Items Requiring Urgent Attention**

**12. Appointment of Committees**

Councillor Hughes to move:

(a) that in accordance with Standing Order 21 the County Council appoints those Committees, Joint Committees and Working Parties/Panels as shown in the Appendix circulated prior to the meeting and uploaded to the website with terms of reference set out in the Council's Constitution or set out therein for the period expiring at the date of the quadrennial Elections in 2025, taking into account the recommendations to the Council from the Procedures Committee at minutes 62, relating to the renaming of the Appeals Committee and that Locality Committees, Personnel Partnership and Personnel Panel are not reappointed. Furthermore approval of the amended terms of reference for the Highways and Traffic Orders Committees (minute 63) to increase the value of schemes under the remit of the HATOCS and also endorsing the appointment and terms of reference for a new Property (Land and Buildings) Committee, outlined in full at minute 64;

(b) that, as required by section 16(1) of the Local Government and Housing Act 1989, Members of the Council be appointed as voting members to those Committees, Joint Committees, Joint Consultative Committees and Working Parties/Panels referred to at (a) above in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the proposed allocation of seats as between political party groups and set out for the time being in the Appendix circulated prior to the meeting and uploaded to the website;

(c) that, as in accordance with the Council's Scrutiny Procedure Rules, the County Council appoints the total numbers of voting (v) or non-voting (nv) members to those Committees, Joint Committees and Working Parties/Panels referred to (a) above as thus denoted in the Appendix (the Council's voting scheme) circulated with the agenda for the period expiring at the date of the quadrennial Elections in 2025;

(d) that the Chief Executive be authorised to approve such changes to membership of the above bodies detailed in the Appendix circulated as may be notified from time to time by the relevant political group to which those seats have been allocated by the Council; and

(e) that additional Members of Scrutiny Committees, Highways and Traffic Orders Committees, the Standards Committee and the Farms Estate Committee as detailed in the aforementioned Appendix (or to be nominated by those bodies listed thereon) be appointed for the period expiring at the date of the quadrennial Elections in 2025 or as otherwise shown (subject to any change notified by the nominating body) or, in the case of parent governor representatives on the Children's Scrutiny Committee, following a ballot of eligible parent governors.

The Appendix is attached.

### **13. Appointment of Chair's and Vice-Chair's of Committees**

Councillor Hughes to move:

'that Members shown in the Appendix be elected Chair and Vice-Chair of those Committees as indicated therein to hold office until the date of the quadrennial Elections of the Council in 2025'

The appendix is attached.

### **14. 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.

### **15. Petitions from Members of the Council**

**16. Questions from Members of the Council**

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

**FRAMEWORK DECISION**

**17. Coroners Devon Wide Service (Pages 27 - 32)**

To Council is asked to endorse the Report of the Director of Legal and Democratic Services (LDS/23/16) which sought approval for adoption of functions and duties from Plymouth, Torbay and South Devon, following approval of the business case for the merger of the coronial jurisdictions of Exeter and Greater Devon and Plymouth, Torbay and South Devon, as recommended by the Cabinet (10 April 2024) (Minute 512 refers and replicated below). The Report is attached.

(a) that as the relevant lead authority for the Combined Coroner Area for the County of Devon, Plymouth and Torbay, to the extent necessary, recommend that Council adopt the duties and functions from Torbay and Plymouth under the Criminal Justice Act for the purposes of enabling Devon to deliver the Coroner's Service for the County of Devon, Plymouth and Torbay; and

(b) take assurance from the progress report presented.

*Electoral Divisions(s): All Divisions*

**OTHER MATTERS**

**18. Cabinet Member Reports (Pages 33 - 58)**

To consider reports from the following Cabinet Members, attached.

- (a) Finance
- (b) Children's Services and Schools
- (c) Climate Change, Environment and Transport

**19. Minutes**

To receive and adopt and / or approve the Minutes of the under mentioned Committees

- (a) Audit Committee - 28 February 2024 (Pages 59 - 64)
- (b) Investment and Pension Fund Committee - 1 March 2024 (Pages 65 - 74)
- (c) Public Rights of Way Committee - 7th March 2024 (Pages 75 - 78)
- (d) Standards Committee - 18 March 2024 (Pages 79 - 84)
- (e) Appeals Committee - 15 April 2024 (Pages 85 - 86)

- (f) Appeals Committee - 13 May 2024  
*The meetings of this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=160&MId=4862>*
- (g) Development Management - 24 April 2024 (Pages 87 - 90)
- (h) Procedures Committee - 2 May 2024 (Pages 91 - 102)  
*The Council is asked to approve Minute 60 of the Procedures Committee relating to amendments to Standing Orders (4a of the Constitution) (Section 6) on Notices of Motion at Council meetings. The amendments being annotated in purple text in those minutes.*
- (i) Appointments, Remuneration and Chief Officer Conduct Committee - 20 May 2024  
*The minutes of this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=201&MId=5134&Ver=4>.*
- (j) Health and Adult Care Scrutiny Committee - 21 March 2024 (Pages 103 - 110)
- (k) Children's Scrutiny Committee - 25 March 2024 (Pages 111 - 116)
- (l) Children's Scrutiny Committee (Special Meeting) - 1 May 2024 (Pages 117 - 118)
- (m) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 28 March 2024 (Pages 119 - 124)

20. **Scrutiny Annual Report 2023-2024** (Pages 125 - 136)

To receive the Scrutiny Annual Report, attached.

**NOTICES OF MOTION**

21. **Flexibility and Action against holiday firms exploiting families, those working in schools and the holiday industry**

To receive and consider the recommendations of the Cabinet (Minute 519 of 10 April 2024) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Biederman and referred thereto in accordance with Standing Order 8(2), namely;

*We must stop the exploitation by Holiday Firms on families and staff in our schools.*

*Devon County Council recognise the importance of children being at school for the maximum time possible in order for them to be able to thrive and succeed in life after school.*

Central government policy, Ofsted and this Council adopt a strong stance against schools and parents, who wish to take children out of school for a family holiday in term time. A five day unauthorised absence can mean a fine of £240 for a family with two school aged children.

The main reason for parents taking children out of school, with the financial and life pressures facing families in these incredibly tough times, is the cost of holidays in the holiday seasons. Holiday firms are clearly exploiting them.

From research on four holidays for a family of four, two adults and two children aged 5-15 for summer 2024, checking dates of 12th July 2024 and 9th August in the same accommodation, the figures are staggering.

1. Butlins Minehead - £946 July & £2437 August, difference £1491
2. Centre Parcs Longleat- £1748 July & £2348 August, difference £600
3. Ruda Croyde - £649 July & £1039 August , difference £390
4. Cyprus Pathos All Inclusive - £4239 July & £5769 August, difference £1524

Research proves that a family holiday can be very important and have massive positive outcomes for both children and parents. Research conducted by the Family Holiday Association, the charity that helps struggling families to have a break, found that 49% of British people said their happiest memory is being on holiday with their family. The results from the poll of 2,000 British adults revealed that emotional, psychological and social benefits of family holidays last long after the break itself ends.

On these positive outcomes, McDonald of the Family Holiday Association said 'We consider these to be a 'happiness anchor' – reflecting on our happiest memories of joyful time spent together as a family can be extremely powerful in bringing relief and respite when faced with the darker times that life can bring. "By using these memories as an anchor to take us back to more cheerful moments, we're often able to approach problems with a fresh sense of perspective. "But for many without such memories, reigniting a sense of optimism for getting through the tougher times can seem like an impossible.

It also found children that have had the benefit of a holiday break are often inspired and learn better after a holiday.

It's not just children that suffer, many vital support staff in our schools are on low incomes and have no choice but to take holidays in the School Holidays and so the way holiday companies are exploiting the prices, affects them too.

## Devon County Council will

(a) Write to Head Teachers, Academies in Devon Schools to urge them to be sympathetic to requests for holiday in term time, giving consideration to individual children's family circumstances, their previous attendance levels, and the importance of the school year that the child is in.

(b) Write to Ofsted seeking their assurance that schools taking a more flexible approach to school absences for family holidays is not counted against them.

(c) Write to the Local Government Association and appropriate government ministers to ask for a review of what holiday companies can charge. Butlins for example have increased their price by roughly x 2.5 the price of one month earlier.

The level at which holiday companies are increasing prices of course, means parents are willing to take the fine, as in all my examples, it's far less than the extra cost of taking the holiday in the school holidays ..... perhaps it's the Holiday firms that should be fined if they charge more than 20% extra on any holiday over their average price over the year.

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

That Council be recommended to

(a) recognise that every child has a right to access education and that it is the parent's legal responsibility to ensure their children of compulsory school age receive a suitable full-time education;

(b) acknowledge that regular attendance at school allows learners to make the most of their education, thereby improving their life chances into adulthood; and

(c) explores with Devon's Members of Parliament, the tourism sector, schools and parents ways to develop practical policy proposals for Government to limit the price differential between the cost of holidays in and out of school term-time.



## 22. Working Families'

Councillor Adams to move:

This Council notes:

- Polling from Working Families (a national charity) found 8 in 10 UK parents (82%) would be likely to apply for a job that lists flexible working options, while only 3 in 10 parents (31%) would be likely to apply for a job that does not list flexible working options.
- Many top UK employers agree that offering flexibility at the point of recruitment is essential.
- Flexible working is no longer just a 'nice-to-have'. It's good for people and good for business—boosting productivity, employee engagement, and staff retention.
- Councils play a leading role in showcasing positive employment practice through their own actions.
- Flexible Working has received cross party support with the Employment Relations (Flexible Working) Bill being supported by both the Government and opposition parties.
- The Civil Service is a proud adopter of Working Families' 'Happy to Talk Flexible Working' logo.

This Council resolves to:

- Work with local employers to promote the benefits of flexible working arrangements for employers and employees.
- Encourage all local employers to create more flexible working opportunities by advertising all jobs as flexible, unless there are solid business reasons not to.
- Advertise all council jobs as flexible, unless there are solid business reasons not to, listing the ways in which jobs can be done on a flexible basis in the advert.
- Use the 'Happy to Talk Flexible Working' logo and strapline on all relevant job adverts.

## **23. Decline of the Swift Population (Swift Brick)**

Councillor Bailey to move:

The swift population has fallen by almost 60% in the last thirty years and it is estimated that there will be fewer than 40,000 pairs of swifts remaining in the UK by 2025.

Adding a swift brick to all new homes is an easy and cheap way to help ensure that swifts have somewhere to roost and nest at the end of their 3,400 mile journey. Introducing mandatory swift bricks will help stem the dramatic decline of this iconic species which was added to the red list in the 2021 UK Conservation Report as a species needing urgent action.

DCC notes local planning authorities face considerable difficulties in requiring swift bricks to be introduced in new builds as this has to be implemented through the lengthy local plan process. That is why we need Michael Gove urgently to change building regulations now to make swift bricks mandatory.

Devon County Council therefore agrees to write to the Secretary of State Michael Gove calling on him to urgently make swift bricks a mandatory requirement in all new housing development.

DCC also agrees to write to all Devon MPs urging them to press Michael Gove to support the mandatory introduction of swift bricks as a matter of urgency in order to stem the decline of swifts.

## **MEETINGS INFORMATION AND NOTES FOR VISITORS**

### **Getting to County Hall and Notes for Visitors**

For SatNav purposes, the postcode for County Hall is EX2 4QD

[Further information about how to get to County Hall](#) gives information on visitor parking at County Hall and bus routes.

Exeter has an excellent network of dedicated cycle routes. For further information see the [Travel Devon Webpages](#).

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street), St David's and St Thomas's. All have regular bus services to the High Street.

Visitors to County Hall are asked to report to Main Reception on arrival. If visitors have any specific requirements, please contact reception on 01392 382504 beforehand.

### **Membership of a Committee**

For the full details of the Membership of a Committee, please [visit the Committee Page](#) on the website and click on the name of the Committee you wish to see.

### **Committee Terms of Reference**

For the terms of reference for any Committee, please [visit the Committee Page](#) on the website and click on the name of the Committee. Under purpose of Committee, the terms of reference will be listed. Terms of reference for all Committees are also detailed within Section 3b of [the Council's Constitution](#).

### **Access to Information**

Any person wishing to inspect any minutes, reports or background papers relating to an item on the agenda should contact the Clerk of the Meeting. To find this, [visit the Committee Page](#) on the website and find the Committee. Under contact information (at the bottom of the page) the Clerks name and contact details will be present. All [agenda's, reports and minutes of any Committee are published on the Website](#)

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In relation to Highways and Traffic Orders Committees, any member of the District Council or a Town or Parish Councillor for the area covered by the HATOC who is not a member of the Committee, may attend and speak to any item on the Agenda with the consent of the Committee, having given 24 hours notice.

### **Webcasting, Recording or Reporting of Meetings and Proceedings**

The proceedings of any meeting may be recorded and / or broadcasted live, apart from any confidential items which may need to be considered in the absence of the press and public. For more information [go to our webcasting pages](#)

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 Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed. Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council 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.

### **WiFi**

An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall.

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### **Induction Loop available**

