

County Council
Thursday, 22nd July, 2021



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DEVON COUNTY COUNCIL

AGENDA



**QUESTIONS TO THE
LEADER OF THE COUNCIL, CABINET MEMBERS
AND
CHAIR'S OF COMMITTEES**

Thursday 22 July

**1. QUESTION FROM COUNCILLOR HODGSON
Re: Sale of Land for School Improvements**

What financial and other support from the Council can be provided or sought by our officers from Government, to help prevent King Edward VI secondary school in Totnes from having to sell off its playing fields to fund outstanding improvements long overdue at the school? Sale of this land for housing development (with possibly 120 new homes) as currently proposed, would have a direct adverse impact on the air quality of the A385 which is an Air Quality Management Area and impact significantly and directly on the air quality for students and staff arriving and leaving the school. The loss of these fields would restrict the opportunities of the students and the wider community whose sports clubs (for all ages) currently use these fields on a regular basis. Any such financial assistance, that could avoid the sale to housing development of these fields and the old school which is a heritage building, known as the Elmhirst Site would be of considerable benefit to both the school and the wider community and would be in line with the advice provided by Cllr Croad in response to this Member's question at April FC regarding the AQMA in Totnes, where he suggested consideration regarding "whether a moratorium should be placed on all new developments". Who would be legally liable for the potential known impact of additional new housing and loss of green space to public health, were a future legal challenge be brought about as a result of this failure to prevent this important recreational area a green lung for the town being turned into a further emission zone? Totnes Town Council has expressed an interest in supporting the responsibility and management of these fields and heritage building as a community partnership project, subject to funding being made available."

REPLY BY COUNCILLOR LEADBETTER

KEVICC's is a Foundation School and as such owns and is responsible for the school land and buildings.

Land at KEVICC is identified in policy TTV20 of the adopted Plymouth and South West Devon Local Plan 2014-2034 for residential-led development, with provision made for circa 130 new homes. One of policy TTV20 requirements is for an appropriate strategy to mitigate for any impact on the A385 Air Quality Management Area and in determining any planning application at this site the

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local planning authority must have regard to this policy requirement. It is also noted that policy SP6 in the Plan relates to spatial priorities in Totnes and also requires that all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the A385 AQMA. Therefore should the Trust proceed with some or all of their proposals, there will be opportunities for statutory consultees and other stakeholders to engage in the formal planning process.

Devon County Council has previously invested capital into the school, however the condition funding grant for maintenance improvements is now very limited with allocations of £4m per year to support a large estate of Community and Voluntary Controlled schools. The Trust has the opportunity to generate significant income to improve its estate and learning facilities for 11-18 year olds, and the wider community and as such at this early stage of consultation, DCC will not object to the proposals.

2. QUESTION FROM COUNCILLOR CONNETT Re: Community Volunteers

In light of a Councillor reportedly being threatened with legal action by Devon County Council for cleaning dirty road signs, what guidance does the Council give to community spirited volunteers?

REPLY BY COUNCILLOR HUGHES

Guidance for individuals or community organisations wishing to undertake minor works in or around the public highway is provided on our Communities web pages

<https://www.devon.gov.uk/communities/opportunities/highway-self-help>

There is also information available with the formal Road Warden scheme, including guidance on the type of work that could be undertaken, training and insurance required,

<https://www.devon.gov.uk/communities/opportunities/road-warden-scheme>

3. QUESTION FROM COUNCILLOR CONNETT Re: Vulnerable Children's Safety

Are vulnerable children and young people in Devon being kept safe by Devon County Council?

REPLY BY COUNCILLOR LEADBETTER

Devon County Council has continued to work closely with partners to support families and keep children and young people safe. In their recent inspection, referring to the pandemic period, Ofsted found that "The local authority and its partners have risen to the challenge, delivering a well-coordinated and effective response."

The report further found that ‘Effective management oversight in the MASH helps to ensure that, for the most part, thresholds are applied appropriately. Prompt action is taken to protect children who are considered to be at immediate risk of significant harm.’

However, demand for the Council’s services has risen significantly this year at the same time as a significant increase in the complexity of need. We have seen our numbers of children in care and children subject to child protection plans increase by approximately 10% over the past year. This is combined with a workforce with recruitment and retention challenges, where we are currently operating with high levels of vacancies and significant numbers of agency staff. 100 social work posts are not filled permanently and 30 of these are not covered at all. This means that our social workers have higher caseloads. To address these challenges, we have developed a robust set of recruitment and retention proposals which will be received by formal Cabinet in September. These have been discussed at Leadership, Leadership/ Cabinet and will be discussed with Children’s Scrutiny Members shortly.

In response to increased demand, we are using all of our social work teams to assist with ensuring that all children currently open or referred into Devon children’s social care are receiving the right social work service and vulnerable children are seen and safeguarded. We have also worked with partners, who are also experiencing demand pressures for their services, through the Devon Children and Families Partnership, and a letter went out to all partners last week from the Chief Officer on behalf of the partnership. This recognised the challenges we all face, and sought to encourage collaboration in response, including seeking an early help response for children wherever possible and appropriate.

4. QUESTION FROM COUNCILLOR CONNETT

Re: Support for Children with Mental Health & Emotional Wellbeing

Why has the County Council allowed children and young people with additional needs relating to their mental health and emotional well-being to not always get the help they need in a timely way?

REPLY BY COUNCILLOR LEADBETTER

The Focused Visit Ofsted letter refers to children with additional needs relating to their emotional health and well-being not always receiving the help they need in a timely way. This refers specifically to children in our care.

The Child and Adolescent Mental Health Service (CAMHS) works with approximately 250 of Devon’s children in care at any one time. Our total care population is approximately 815. Each child who enters care has a mental health screening tool applied by CAMHS to identify children who may require additional CAMHS support. As part of this assessment, the impact of trauma and neglect is considered. We also train our foster carers in identifying and responding to

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emotional well-being. However, we recognise that there is much more work to do to ensure that all children in care have timely access to the right mental health and emotional well-being support. Our colleagues in health, who are responsible for the operational delivery of the mental health offer for children in care through CAMHS, are working closely with us to understand capacity gaps, the current pathways into the service and where this needs to be strengthened, for example increasing communication opportunities, and drop in clinics for social workers to discuss their children. We will be reviewing our screening process during 2021 to ensure we are prioritising the right children for support. We are also developing additional mental health support services for Care Leavers.

The Council is also reviewing its sufficiency strategy to ensure that we take full account of children's emotional needs when commissioning placements for children outside the authority, including external foster carers and residential children's homes.

5. QUESTION FROM COUNCILLOR CONNETT Re: Partnership Working and Young People

Why has it taken a global pandemic to give statutory partners "an opportunity to work together at speed while developing the confidence and ability to have challenging conversations as part of a shared commitment to develop joint solutions"?

REPLY BY COUNCILLOR LEADBETTER

Statutory partners have been collaborating around the table under the framework of the Devon Children and Families Partnership since before the global pandemic. This resulted in a children and families plan with shared priorities, based around providing the right children with the right support at the right time. It is a nationally recognised outcome of the pandemic that organisations working with children have come together with urgency and speed to respond to the unprecedented requirements placed upon local authorities by Covid. This has required ways of working that have crossed organisational boundaries in new ways, for example our collaborative work to ensure that vulnerable children were seen and responded to appropriately during lockdowns. This was a collaborative effort through the local authority, schools, police, health partners and other voluntary and community groups coming together, and has rightly been recognised by Ofsted in their recent visit. For example, our school attendance figures for all children including the most vulnerable, have been consistently above national average throughout the pandemic and following the ending of the last lockdown.

The Partnership has recently had changes in key executive leaders across police, health and the local authority which has enabled challenging and transparent discussions about how we all work to improve outcomes for children.

6. QUESTION FROM COUNCILLOR ATKINSON

Re: Local Nature Recovery Strategy

How will Devon implement findings from the Defra 5 Local Nature Recovery Strategy (LNRS) pilots to align environmental strategies at a local level.

REPLY BY COUNCILLOR HART

Creating a national Nature Recovery Network (NRN) is a major commitment in the Government's 25 Year Environment Plan and part of the forthcoming Nature Strategy. The NRN will be a national network of wildlife-rich places across our towns, cities and countryside. The NRN will help us deal with three of the biggest challenges we face: biodiversity loss, climate change and wellbeing.

Local Nature Recovery Strategies (LNRS) are due to be introduced by the Environment Bill. They will be new mandatory strategies to help us to plan, prioritise and target action and investment in nature at a local level across England and deliver a NRN on the ground. Each LNRS is likely to include a map, agreed priorities and proposals for creating or improving habitats.

The Secretary of State will determine which area each LNRS should cover and appoint a 'responsible authority' to lead its production. Responsible authorities are likely to be Local Authorities, Mayor, National Park Authority or, if needed, Natural England. It seems likely that DCC will be appointed as the 'responsible authority' for a Devon LNRS but this is not yet certain.

Defra funded five LNRS pilots in Buckinghamshire, Cornwall, Cumbria, Greater Manchester and Northumberland. All pilots have been led by Local Authorities and the aim was to inform the creation of LNRS regulations and guidance. The pilots began in August 2020 and reported to Defra at the end of May 2021.

A report has just been published by Defra summarising the key lessons and findings from the pilots including on issues such as resource and capacity requirements. Defra hopes to launch a public consultation soon to enable stakeholders in other areas to contribute their views and expertise to shape how these strategies should be rolled out nationwide. A copy of the report and more information can be found at [Local Nature Recovery Strategy pilots: lessons learned - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/978227/local-nature-recovery-strategy-pilots-lessons-learned.pdf)

In Devon we have already begun work on developing a wildlife map to underpin both a future Devon LNRS and the delivery of a Devon NRN. This work is being done under the banner of the Devon Local Nature Partnership and is funded by a wide range of partners including all Devon Local Authorities, NGOs and statutory partners. The Steering Group is Chaired by DCC's County Ecologist. Work has begun on this ahead of the LNRS as the map is urgently needed to help guide tree planting, Local Plans, biodiversity net gain etc. A representative from Cornwall has input into this work. Regular meetings with Cornwall Council and other partners are being held to share learning and ensure that cross border issues are dealt with in a consistent way. The National Parks, AONBs and Biosphere are all producing Nature Plans and are all involved in the Devon

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mapping work to ensure alignment. DCC has also organised a webinar with national Natural England officers to ensure that we are aligned with national LNRS mapping work. The first iteration of the map is likely to be out in the autumn.

We do not yet have any direction from Defra on the geography for a Devon LNRS, who the 'responsible authority' will be or clarity on the resources that will be provided. Any substantive work is therefore unlikely to be undertaken on a Devon LNRS until we have clarity on these key issues, clear guidance resulting from the five pilots and Parliamentary enactment of the Environment Bill.

7. QUESTION FROM COUNCILLOR BAILEY **Re: 20mph speed limits**

This year the UN Global Road Safety Week calls for policy makers to act urgently to implement low speed streets worldwide for people and planet, specifically 20mph limits. "On our streets, worldwide, where we walk, play and live, we call for action on speed. Low speed, liveable streets are essential and urgent". The UN is calling on policy makers to sign up to an open letter (copy attached) which recognizes that this is an urgent issue; urgent because low speeds saves lives; urgent for public health; urgent for global goals and our climate; urgent for social and racial equality and urgent for our children and youth and vital for their wellbeing.

Yet to my communities in the Otter Valley there appears to be a lack of urgency on the part of Devon County Council in dealing with this important issue. The communities of Ottery St Mary, Newton Poppleford, Otterton and Colaton Raleigh have submitted requests for 20mph zones some time ago and are currently being blocked by Devon County Council from achieving their aspiration of lower speeds and safer streets. The reason given is that the Newton Abbot pilot needs to be completed to inform policy and all requests for 20mph zones are deferred pending the completion of the trial. I understand Cabinet agreed to progress the Newton Abbot trial some two years ago and is still in the pre-trial phase.

Please will the Cabinet Member of Devon County Council:

- a. Agree to sign up to the UN's open letter recognizing the importance and urgency in achieving 20mph zones.
- b. Commit to implementing urgently 20mph zones where there is a stated aspiration on the part of communities for 20mph zones without delay including Ottery St Mary, Newton Poppleford, Otterton and Colaton Raleigh (rather than defer pending the results of the Newton Abbot pilot)

REPLY BY COUNCILLOR HUGHES

As you are aware the Authority is committed to reviewing its approach to the setting of speed limits and is receptive to the wider application of 20mph restrictions where there is shown to be benefit.

The Authority set up a Speed Limit Scrutiny Task Group who made a number of recommendations which were endorsed by Cabinet. One of those recommendations was the trial of a community wide default 20mph restriction in Newton Abbot. If this scheme delivers the benefits that many of us expect this will then inform our future Policy on the setting of 20mph restrictions.

Officers and Members are currently developing the Newton Abbot Trial working with colleagues with specialisms in public health, road safety, air quality and sustainable travel. Along with community representatives and the Police. This project is a huge undertaking both in terms of finance and officer time. We must ensure we understand the impact of the trial with appropriate data collected throughout the 1 year trial period, and we have asked that officers collate their findings and report on the trial within 6 months of the close of the trial period.

Whilst we expect the trial to provide a positive outcome, we cannot ignore the fact that we are seeking to learn from the trial and there may be learning points or unintended consequences to consider. Therefore we will not be rolling out any similar speed restrictions during the 18 month study period.

8. QUESTION FROM COUNCILLOR HODGSON

Re: Snares

What is the current position and policy of the council with regard to the use of animal snares on council owned land and what steps are being taken to ensure that wildlife are not endangered by the continuation of this barbaric practice that uses snares to catch wildlife and which is known to indiscriminately cause injury, pain, suffering and a cruel and torturous death to deer, badgers, foxes and domestic cats along with many other wildlife? Are policies being developed to support a ban of the use of animal snares on council owned land?

REPLY BY COUNCILLOR HART

DCC does not use snares on any land in its direct control. For DCCs Farms Estate it is for the tenant of the land to determine the most appropriate method of control with due regard to DEFRA's Code of Practice and information and guidance provided by The Game and Wildlife Conservation Trust.

9. QUESTION FROM COUNCILLOR HODGSON

Re: Traveller Sites in Devon

Progress with traveller sites and traveller forum in Devon: The rising number of illegal roadside camps of travellers and other residential vehicle is a cause of much division in local residents, many of whom often feel threatened by the occupants of these camps. What steps are currently being taken to bring remedial action to support the regularisation of this issue through the establishment of Traveller and gypsy forum at district level and provision of

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adequate and long awaited properly serviced temporary / transit and permanent traveller sites across the county?

REPLY BY COUNCILLOR CROAD

The County Council has not seen a marked rise in unauthorised traveller encampments on its own land or public highway. The Council is aware of an increase in cases of caravan or motorhome dwellers staying in inappropriate locations due to homelessness. When such cases are reported to the County Council, we cooperate with homelessness outreach teams in Devon's district councils to find a solution. Devon's district councils as local planning authorities are obliged to take account of the need for traveller pitches in planning their district housing needs supply, including creating a 5-year land supply through local plan policies. The County Council has on several occasions in recent years cooperated with district councils to identify land that might be suitable for traveller transit sites but the Council itself does not hold appropriate land. Gypsy and Traveller Forums are a valuable way of gathering information on local needs and Forums have been created by district councils in Teignbridge, South Hams and East Devon. A County Council officer attends those forums whenever possible. The County Council also convenes a quarterly officers' forum (including Devon and Cornwall Police) to share information on Gypsy and Traveller matters including the provision of pitches and the response to unauthorised encampments.

10. QUESTION FROM COUNCILLOR WHITTON Re: 5G Consumption

How has the energy consumption of 5G masts been calculated, and how much more energy are 5G masts across the county expected to consume compared to the total energy consumption of 4G masts?

REPLY BY COUNCILLOR HART

This is not a question that DCC are in a position to answer and should be directed to Ofcom who are responsible for the issuing of 5G licences. DCC is not in a position to calculate the specific energy consumption and carbon footprint for the activities undertaken by others.