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To: The Chair and Members
of the Cabinet

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Date: 5 April 2022

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CABINET

Wednesday, 13th April, 2022

A G E N D A

6 Question(s) from Members of the Council (Pages 1 - 14)



QUESTIONS FROM MEMBERS OF THE COUNCIL Wednesday 13 April 2022

**1. QUESTION FROM COUNCILLOR HANNAFORD
Re: Ukrainian Refugee Children and Schools**

Can the Cabinet Member please update members on the work being done locally in Devon, with schools to welcome 100,000 Ukrainian refugee children to the United Kingdom?

REPLY BY COUNCILLOR LEADBETTER

Schools have worked proactively with Devon County Council teams, Babcock and a range of partners to support children from Afghani families over the past 6 months and prior to that supporting unaccompanied asylum seeking children. This has meant schools and the wider services have developed a range of skills that allow them to rapidly and flexibly support refugee children. This has included supporting language needs with translators and English lessons as well as the wider learning, cultural and emotional needs of the children.

The Council have recently launched a website to provide information about the support available to Ukrainian guests and host families. This includes how to access benefits, health services, and schools places etc as well as information on application processes and the number of guests who have had visas approved in each district. Additional content is being added all the time so you may find this link helpful. [Home - Supporting Ukraine \(devon.gov.uk\)](https://www.devon.gov.uk/home-supporting-ukraine)

**2. QUESTION FROM COUNCILLOR HANNAFORD
Re: Ukrainian Refugee Children and Safeguarding**

Can the Cabinet Member please update and assure members, that the County Council will work closely with other key partners to ensure that Ukrainian refugee children are not exploited, abused or go missing whilst seeking sanctuary?

REPLY BY COUNCILLOR LEADBETTER

Children will be supported through our early help, or our statutory services, when these are needed to protect them. Our public health nursing team has been working proactively, with others, including the Council's Communities team, Schools and Family Centres, to support Afghani families in Devon in recent months. We will learn from this experience to, and build on it to support and protect, children from Ukraine seeking refuge in Devon.

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3. QUESTION FROM COUNCILLOR HANNAFORD Re: Second Homes in the Council area

How many second homes are registered in the Devon County Council area?

REPLY BY COUNCILLOR CROAD

Numbers of second homes included in the Council Tax Base 2021 are listed below:

Band	Number of dwellings classed as second homes on 4 October 2021								Total
	A	B	C	D	E	F	G	H	
East Devon	264	389	542	493	326	180	138	16	2,348
Exeter	107	134	111	71	45	23	22	1	514
Mid Devon	31	43	45	30	26	24	12	2	213
North Devon	385	326	385	326	189	108	60	5	1,784
South Hams	392	312	475	596	680	447	469	84	3,455
Teignbridge	272	249	253	229	136	74	49	10	1,272
Torrige	313	204	165	166	90	27	13	2	980
West Devon	79	114	116	80	71	50	26	2	538
Total	1,843	1,771	2,092	1,991	1,563	933	789	122	11,104

Comparative data for 2019 and 2020 indicates that only North Devon showed an increase in numbers between 2019 and 2021, West Devon is flat and other districts show a slight decrease in numbers.

Number of Second Homes	Sept 2019	Oct 2020	Oct 2021	2019-2021	2019-2021
East Devon	2,476	2,462	2,348	-128	-5.2%
Exeter	541	537	514	-27	-5.0%
Mid Devon	232	228	213	-19	-8.2%
North Devon	1,666	1,799	1,784	118	7.1%
South Hams	3,730	3,683	3,455	-275	-7.4%
Teignbridge	1,390	1,317	1,272	-118	-8.5%
Torrige	992	999	980	-12	-1.2%
West Devon	534	559	538	4	0.7%
Total	11,561	11,584	11,104	-457	-4.0%

Source: Council Tax Base 2019 to 2021.

In addition to the above totals, some second homeowners may have classified their dwelling as a short-term holiday let under business rates. It is not easy to find the total number of such properties as they are included in the data along with caravan parks etc.

There is some financial advantage to owners in having a property classified under holiday accommodation business rates as it potentially allows rates relief and recently allowed business support and restart grants. However, from 1 April 2023 there will be a legislative change requiring holiday lets to be rented out commercially for at least 70 days a year to qualify for business rates, which may result in some movement the other way.

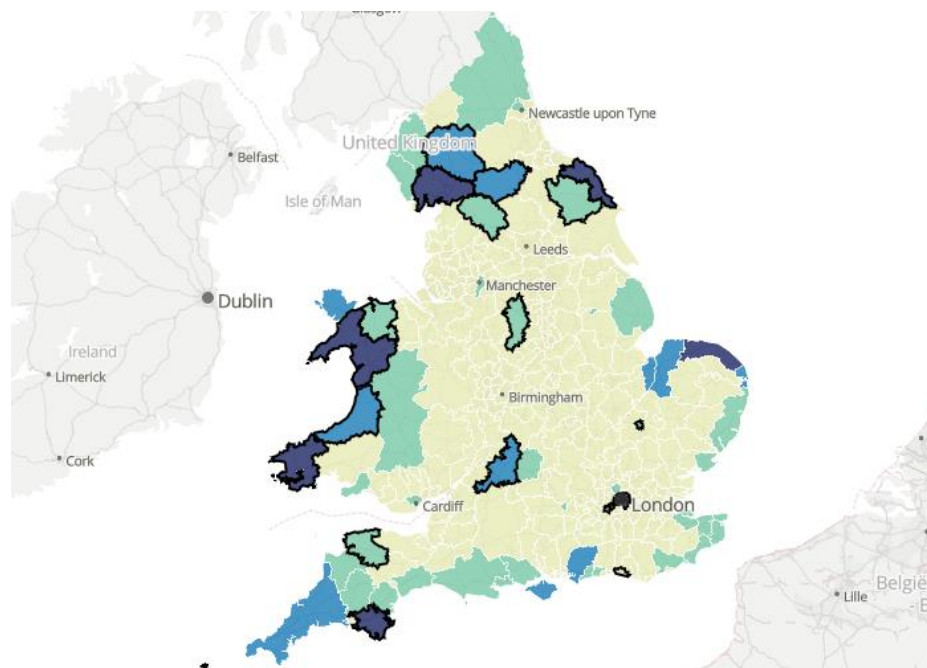
[Gove closes tax loophole on second homes - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/gove-closes-tax-loophole-on-second-homes)

While the current loophole remains, second homes can be redesignated as holiday lets under business rates and no business rates are payable as they are below the Rateable Value threshold. So it is reasonable to assume that many second homes could be reclassified and that Council Tax receipts could fall if properties that are currently paying council tax end up paying no council tax and no business rates. Once the loophole is closed, more properties may be brought into the council tax system. This is difficult to predict until we see how the new regulations work in practice.

There may have also been some people turning second homes into their main residence during the pandemic. Census 2021 data may eventually show this once it is released.

While second home levels in Devon appear fairly static, it is well established that second home ownership is concentrated in tourist hotspots.

Rates of second home ownership by local authority, England and Wales:



Source: [Office for National Statistics 2021](#).

A 2022 House of Commons Library briefing “[Second homes and holiday-lets in rural communities](#)” summarised concerns about second homes and described the various means available to control them through planning and local taxation.

4. QUESTION FROM COUNCILLOR HANNAFORD

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Re: Long Term Empty Homes

How many long-term empty homes are registered in the Devon County Council area?

REPLY BY COUNCILLOR CROAD

Billing authorities in England, Scotland and Wales have considerable discretion over the levels of council tax discount available on unoccupied properties. They may require full council tax payment from the owners of empty second homes, properties undergoing major repair, or properties that are 'unoccupied and substantially unfurnished'.

There are a small number of mandatory exemptions to this power, and occupants of properties benefiting from these exemptions receive a 50% discount.

Local authorities may also set an 'Empty Homes Premium' for properties that have been empty for over a specified period.

In October there were 640 homes in Devon that were being charged the Empty Homes Premium as they had been empty for more than two years:

Band	Number of dwellings classed as empty and being charged the Empty Homes Premium on 4 October 2021								Total
	A	B	C	D	E	F	G	H	
East Devon	30	17	15	7	8	5	2	0	84
Exeter	39	19	11	11	2	3	3	0	88
Mid Devon	45	19	12	11	8	3	1	0	99
North Devon	48	27	17	13	7	2	3	0	117
South Hams	12	7	8	5	5	4	4	1	46
Teignbridge	31	27	21	3	5	4	4	3	98
Torridge	30	14	13	6	8	1	3	0	75
West Devon	17	6	3	3	2	0	2	0	33
Total	252	136	100	59	45	22	22	4	640

A November 2021 [House of Commons research bulletin](#) describes the various premiums, discounts and exemptions in place, and the impacts of those provisions.

For furnished second homes, the full Council Tax is payable.

5. QUESTION FROM COUNCILLOR HANNAFORD

Re: Council Tax Premium on Second and Empty Homes

The Welsh Government has decided to allow local authorities to place a council tax premium of 300% on second homes and long term empty properties from 2023.

If central Government took a similar decision what would be the estimated collective annual financial benefit for the Devon County Council area?

REPLY BY COUNCILLOR TWISS

The Welsh Government recently announced that it will introduce legislation in April 2023 to increase the maximum level of council tax premium on second homes and long-term empty properties to 300%.

At present, the eight Billing Authorities in Devon apply similar scales for long term empty homes:

- Where the property has been empty and unfurnished for 2 years or more: Empty Homes Premium is 100%.
- Where the property has been empty and unfurnished for 5 years or more: Empty Homes Premium is 200%.
- Where the property has been empty and unfurnished for 10 years or more: Empty Homes Premium is 300%.

Were a full 300% premium to be charged on second homes and long-term empty properties, the potential additional Council tax yield could be substantial.

For DCC, notional maximum receipts are in the region of £17m for each 100% premium on second homes and £860K for every 100% premium on empty properties attracting a premium (i.e. a maximum additional £51m and £2.6m respectively for a 300% premium). However, these estimates come with substantial caveats because changes in taxation prompt behavioural changes, and because collection rates may vary. As in Wales, the actual level of premium set would be at the discretion of each Billing Authority. Also, the possibility of business rates designation remains and could materially affect the number of second homes in the council tax system. It would be necessary to take account of several factors to reliably estimate how much additional Council Tax could be collected.

6. QUESTION FROM COUNCILLOR HANNAFORD Re: Council Tax Premium and Financial Benefit

In relation to 5, what would be the estimated specific annual financial benefit for Devon County Council?

REPLY BY COUNCILLOR TWISS

Please see response to question 5.

7. QUESTION FROM COUNCILLOR HANNAFORD

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Re: Council Tax Premium and Key Worker Accommodation

Should this initiative be agreed by central Government, would the administration consider earmarking and investing this additional funding in key worker accommodation in Devon, working with other key partners?

REPLY BY COUNCILLOR HART

This would need to be the subject of discussion by Team Devon (Leaders and Chief Executives) and other key partners.

8. QUESTION FROM COUNCILLOR HANNAFORD

Re: Mains Gas Connections

How many homes in Devon do not currently have access to mains gas and how do these figures breakdown in each district council area?

REPLY BY COUNCILLOR GILBERT

Government [publishes estimates](#) of domestic properties not on the gas grid. The figures for Devon are:

District	Homes
East Devon	20,360
Exeter	9,470
Mid Devon	15,030
North Devon	13,370
South Hams	17,600
Teignbridge	14,470
Torridge	16,080
West Devon	11,550
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Total	117,993

This is about 1/3 of the homes in the county.

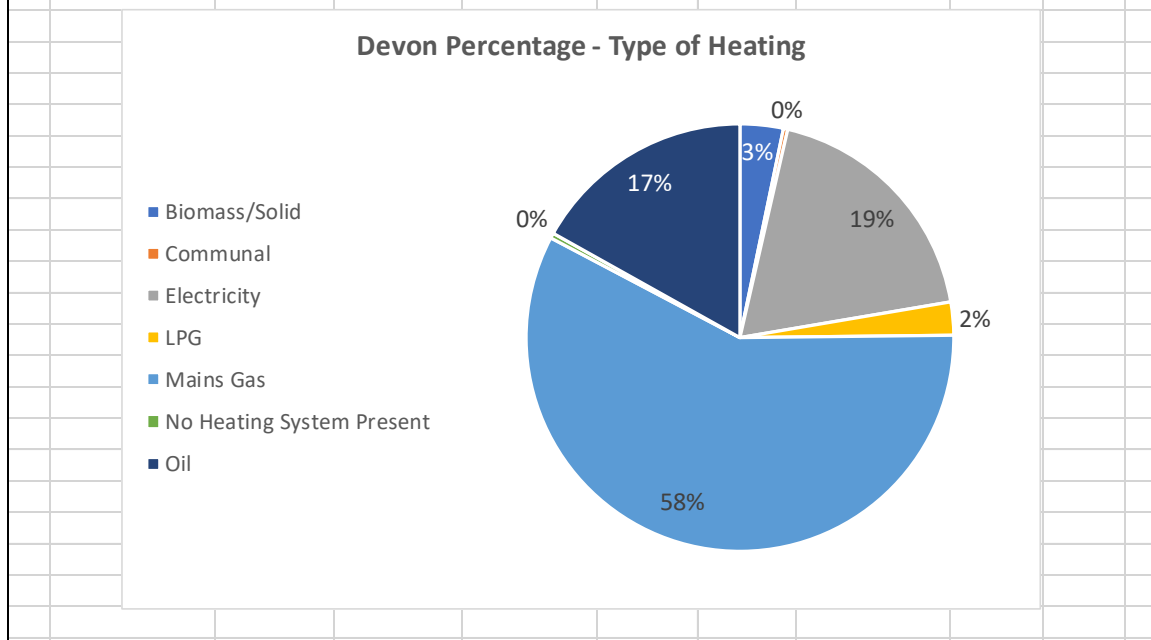
9. QUESTION FROM COUNCILLOR HANNAFORD

Re: Alternative Ways of Cooking / Heating etc.

In these Devon homes where people have to find alternative ways to heat and cook, do we have the data to confirm if this is done by oil, bottled gas, coal, wood and wood based products?

REPLY BY COUNCILLOR GILBERT

Local Authority	Biomass & Solid	Communal	Electricity	LPG	Mains Gas	No Heating System Present	Oil	Total
East Devon	2%	0%	15%	2%	67%	0%	14%	100%
Exeter	2%	0%	16%	0%	80%	0%	0%	100%
Mid Devon	4%	0%	20%	3%	45%	0%	26%	100%
North Devon	3%	0%	17%	2%	59%	0%	17%	100%
South Hams	3%	0%	24%	3%	49%	0%	20%	100%
Teignbridge	2%	0%	16%	3%	68%	0%	10%	100%
Torridge	5%	0%	23%	3%	39%	0%	29%	100%
West Devon	4%	0%	18%	3%	45%	0%	29%	100%
Total	3%	0%	19%	2%	58%	0%	17%	100%



**10. QUESTION FROM COUNCILLOR HANNAFORD
Re: Work to Prevent Fuel Poverty**

What work is being done with others to prevent these households in Devon from being additionally penalised and driven into extreme fuel poverty during the current cost of living crisis?

REPLY BY COUNCILLOR CROAD

The Council is working with Districts and Torbay under the Cosy Devon partnership to alleviate fuel poverty in Devon. The Local Energy Advice Programme provides a free in-home visit to provide assistance with using heating and appliances more efficiently and will make a referral to grant schemes and income maximisation services where applicable. This service is run in partnership with Devon's community energy organisations.

Last year we secured £1.1m from the Government's Local Authority Delivery Scheme 1a to deliver energy efficiency improvements to 50 low income

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households with the most poorly performing properties in terms of energy efficiency.

We have now secured a further £9m from the Government's Local Authority Delivery Scheme 3 and Home Upgrade Grant Scheme 1 to support a further 500 households across the partnership area.

In parallel to this grant work we are working to set up an online 'one-stop shop' to provide energy efficiency advice, a triage service so citizens can determine what grants they can access and a tool to see what measures would be most appropriate, the cost and benefit. This service is due for launch in the summer. Through all this work we've been working in partnership with community energy organisations who provide the important 1-2-1, independent, on the ground support throughout the intervention in line with the national retrofit standard PAS 2035.

In addition, since December 2020, the Council has utilised funding from Department for Work and Pensions to fund organisations and individuals in financial hardship. Whilst predominantly focussed around food insecurity, this has included funding to tackle 'fuel poverty' including grants to Citizen Advice for a Devon Energy Relief Scheme and grants to district councils for respective District Household Support Schemes.

11. QUESTION FROM COUNCILLOR HANNAFORD
Re: Work to Reach and Support Vulnerable People

According to the latest Excess Winter Mortality Report from the Office of National Statistics, it has been estimated that 400 people died in Devon between 2019 and 2020 from cold homes, excluding covid deaths. However, it is widely estimated that these figures are under representative of the actual figures. What are we doing to reach and support vulnerable people, especially elderly and frail people to stay active and alive if they are being forced to heat or eat?

REPLY BY COUNCILLOR CROAD

Public Health Devon has commissioned a healthy lifestyle service 'One Small Step' which supports residents to become and remain active ([Physical Activity - One Small Step Devon](#)) and Active Devon support and lead an number of active programmes for all ages. There are falls prevention and wider programmes that are supported by adult social care and health.

In addition there is a wide range of voluntary groups promoted through partners and "Pinpoint"

12. QUESTION FROM COUNCILLOR HANNAFORD
Re: Park Homes in the Council area.

How many park homes are registered in the Devon County Council area?

REPLY BY COUNCILLOR GILBERT

Based on Home Analytics data we can estimate that there are 142 Park Homes in Devon which have low income occupants and have an Energy Performance Certificate rating of E or below.

Devon has one of the highest numbers of park homes per capita in the country and above the national average, with many owners in fuel poverty.

**13. QUESTION FROM COUNCILLOR HANNAFORD
Re: Park Home Fuel Poverty**

As park home residents are mostly older people, without mains energy access, and have other vulnerabilities, such as site licensing, challenging terms and conditions, can our trading standards officers work with others, including the local licensing authorities, to do some specific information and guidance, on park home fuel poverty?

REPLY BY COUNCILLOR CROAD

Trading Standards do work with Cosy Devon and similar organisations to raise awareness of potential scams and rogue traders targeting vulnerable residents who are looking for energy efficiency improvements or grants. Environmental issues and the climate emergency have been identified as a key cross-cutting theme to Trading Standards priority work for next year.

We also work with District Authorities to exchange intelligence and respond to complaints and specific issues raised by Park Home owners. We enforce legislation relating to Energy Performance labelling of buildings and consumer goods. We are proactive in advising sales agents regarding this and respond to intelligence to deal with any issues. We have also done work on ensuring Terms and Conditions are fair.

Although our remit does not include advising consumers on energy efficiency matters or dealing with park home fuel poverty specifically, we would investigate any complaint made by a resident where they allege that they are unfairly restricted by terms and conditions relating to energy supply. We would also be keen to be involved in any initiative that could help and advise potentially vulnerable residents.

In view of the point being raised, we will investigate the issue to see what we can do and liaise with Cosy Devon and the District Councils to see if some joint information or guidance aimed at park home residents is possible. This work could include reviewing relevant contracts to ensure that any Terms and Conditions relating to energy usage or supply are fair.

14. QUESTION FROM COUNCILLOR HANNAFORD

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Re: The Energy Pricing (Off Gas Grid Households) Bill

Does the administration support The Energy Pricing (Off Gas Grid Households) Bill currently going through Parliament, that seeks to prevent households without access to mains gas paying more for their energy?

REPLY BY COUNCILLOR CROAD

This administration sympathises with everybody in the county who is being affected by the cost-of-living implications of recent energy price rises. The initiatives described in the answer to Question 10* are providing immediate help to Devon's residents who are most in need and putting solutions in place for the future.

The Energy Pricing (Off Gas Grid Households) 2021 – 2022 Bill has had its first reading in parliament and a draft publication of the Bill is now expected ahead of its second reading on the 6th May. The Potential content of the Bill outlined in its first reading is laudable and would make a tangible difference to budget pressures on families across Devon. This authority endorses the intent of the Bill but further detail is required to understand exactly what the Bill will propose and how it would be delivered before support can be given.

15. QUESTION FROM COUNCILLOR DEWHIRST Re: Lateral Flow Tests for Care Givers.

In the light of the difficulties, at the moment, in obtaining quick to use Lateral Flow tests for Covid-19 will the Council be supporting Care givers, many of whom are on very low incomes, in obtaining these tests? From 1st April the Government has announced that tests will be chargeable, and Boots have announced that a single test will cost £5.99.

Testing has been shown to be a positive action to take to slow the spread of the virus during the pandemic and is supported by Devon's Director of Public Health as recently as 15th March.

REPLY BY COUNCILLOR CROAD

The Governments plan 'living with Covid' includes the announcement of the ceasing of access to free universal symptomatic (LFT) testing by the general public at the end of March. Free LFTs will continue from April in some high-risk settings where infection can spread rapidly while prevalence is high. This includes:

- patient-facing staff in the NHS and NHS-commissioned independent healthcare providers
- staff in hospices and adult social care services, such as homecare organisations and care homes
- a small number of care home visitors who provide personal care
- staff in some prisons and places of detention and in high-risk domestic abuse refuges and homelessness settings

In addition, testing will continue to be provided for residential SEND, care home staff and residents during an outbreak and for care home residents upon admission. This also includes some staff in prisons and immigration removal centres.

Devon County Council has followed the national guidance throughout the pandemic and will not be purchasing LFT's for individuals who are not eligible for free tests as part of the Living with Covid plan. The Government has retained a supply of tests which can be deployed locally if a new health threat emerges.

16. QUESTION FROM COUNCILLOR HANNAFORD
Re: Chancellor Spring Statement and Schools Budget Cuts

The chancellor's spring statement confirmed that schools budgets, will rise by 1.7% per year, rather than 2.2%. This is after [almost a decade of cuts which saw](#) spending on education in England fall from 5.5% of GDP to 3.9%.

How will this further deep cut effect schools in Devon?

REPLY BY COUNCILLOR LEADBETTER

The school budgets in the Autumn and Spring statements remain unchanged with core schools funding rising from £49.8 million in 21/22 to £56.8 million in 24/25. This is an average annual growth of 2.2% 2021/22 to 2024/25. The National Funding Formula will allocate this funding to Devon Schools using prescribed factors that are used for all authorities in England.

17. QUESTION FROM COUNCILLOR HANNAFORD
Re: Public Accounts Committee / Costs for Essential Repairs to School Buildings

A recent report by the Public Accounts Committee (PAC) says that £11.4billion is needed for 'essential' repairs to school buildings but the Department of Education has set aside only £5.6billion for this work. How much funding is needed to complete essential repairs in Devon Schools, across all organisational models?

REPLY BY COUNCILLOR LEADBETTER

Currently the total backlog of maintenance across the LA maintained school's estate (147 schools) is £43,373,400. We also assess our critical backlog maintenance (which is the estimated value of elements rated as C1, C2, D1 & D2 in the tables below). The current Devon maintained schools' critical maintenance backlog is £23,715,451.

We also hold data on the Voluntary Aided¹ (VA) sector (but we are not the responsible body) and the total backlog maintenance in the VA estate is £3,999,569 and critical backlog being £2,080,159.

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We do not hold data on the academy estate because academies do not form part of our quinquennial condition data collection programme.

Grade Condition Letter Description

- A Good Performing as intended
- B Satisfactory Performing as intended, but exhibiting minor deterioration
- C Poor Exhibiting major defects and/or not operating as intended
- D Bad Life expired and/or serious risk of imminent failure

Grade description number description

Priority	Time Frame	Description
4	> 5 Years	More than 5 years before remedial action required. All condition 'Grade As' will be priority rating 4 by default
3	3 – 5 Years	Between 3 and 5 years before remedial action is required
2	1 – 2 Years	Between 1 and 2 years before remedial action required
1	0 Years	Immediate remedial action or replacement required (default priority rating for condition grade D)

1. *Voluntary-aided schools are religious or faith schools. The governing body of these schools employs the staff and sets the entrance criteria. School buildings and land are usually owned by a charity, often a church.*

18. QUESTION FROM COUNCILLOR HANNAFORD Re: Ofsted and Inadequate Buildings

The consequences are not just children [having to learn in leaky and draughty buildings](#). Ofsted has downgraded schools because of their inadequate facilities.

How many schools in Devon have been downgraded by Ofsted because of poor quality buildings and degraded structures?

REPLY BY COUNCILLOR LEADBETTER

We are not aware of any schools that have been downgraded by Ofsted because of poor quality buildings or degraded structures.

19. QUESTION FROM COUNCILLOR HANNAFORD Re: Targeted Funding and Maintenance Backlogs

The PAC report added: "The Department may not know where to target funding to improve school facilities because it does not have a sufficient understanding of where the gaps are.

Have we made the Department of Education aware of Devons School maintenance backlog?

REPLY BY COUNCILLOR LEADBETTER

The Department for Education ceased collecting asset management data from Local Authorities a number of years ago. The DfE considered the data to be inconsistent across the national school estate. The DfE embarked on a national condition data collection (CDC) programme that ran from 2017-2019 which involved collecting condition data for every government funded school in England. Currently the DfE are updating all this data through the CDC-2 programme. All responsible bodies condition allocations are linked directly to the data collected through the CDC programme. Devon has officer representation on the DfE's CDC working party which provides oversight and direction to the programme.

**20. QUESTION FROM COUNCILLOR HANNAFORD
Re: Salary Levels at Academy Trusts**

According to the PAC, the number of academy trusts paying at least one individual more than £150,000 has increased from 340 trusts in 2018 to 473 trusts in 2019/20.

Can the latest top salary figures for academy trust staff in Devon be confirmed with Cabinet?

REPLY BY COUNCILLOR LEADBETTER

DCC staff do not have access to Academy staff salaries.

**21. QUESTION FROM COUNCILLOR HANNAFORD
Re: Financial Assistance to Academies and Trusts**

The Government wrote off £10million in debts built up by academies last year and spent £31million bailing out a further 81 trust's.

Can it please be confirmed if any of this financial assistance occurred in Devon schools?

REPLY BY COUNCILLOR LEADBETTER

Academies would have received this funding direct from the Education and Skills funding Agency (ESFA) the Local Authority therefore do not have this information.

22. QUESTION FROM COUNCILLOR HANNAFORD

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Re: Announcement regarding Investment in Bus Services

Can the Cabinet Member please update Members on the announcement that Devon County Council will receive £14.1 million pounds for bus services.

REPLY BY COUNCILLOR DAVIS

On Monday 4 April 2022 the Department for Transport responded to all Local Transport Authorities setting out their BSIP allocation. This is part of a reduced amount available from Government of around £1.2billion. For Devon the funding allocated for the 2022/23 to 2024/25 period will be:

- Capital: £8,811,000
- Revenue: £5,246,270
- Total: £14,057,270

While the Capital funding represents the majority of the funding requested, the revenue allocation falls significantly short of the £34million per annum requested. Officers are assessing the impact of this allocation and we can now complete the process establishing our “Enhanced Partnership” with our bus companies. A condition of receiving this funding is the Partnership is in place.

A Member briefing session has been put in the diary through Microsoft Teams on the afternoon of Wednesday 20 April. For those who cannot make it the meeting will be recorded.