

COUNCIL

4 October 2018

Present:-

Chair: C Chugg

Vice-Chair: R Hosking

Councillors H Ackland, M Asvachin, Y Atkinson, S Aves, K Ball, S Barker, F Biederman, R Bloxham, J Brazil, E Brennan, J Hook, I Chubb, J Clatworthy, P Colthorpe, A Connett, P Crabb, R Croad, A Davis, A Dewhirst, A Eastman, R Edgell, R Gilbert, G Gribble, I Hall, R Hannaford, J Hart, J Hawkins, L Hellyer, J Hodgson, G Hook, S Hughes, T Inch, A Leadbetter, J Mathews, J McInnes, B Parsons, R Peart, S Randall-Johnson, S Russell, P Sanders, A Saywell, R Scott, D Sellis, M Shaw, C Slade, M Squires, J Trail, P Twiss, C Whitton, C Wright and J Yabsley

Apologies:-

Councillors J Berry, C Channon, B Greenslade, P Prowse, R Radford and N Way

131 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 19 July 2018 be signed as a correct record.

The Motion was put to the vote and declared **CARRIED**.

132 Announcements

The Chair of the Council reported the sad passing of former County Councillor and Alderman Kathleen Hawkins, who served the Council between 1993 and 1998, representing Torbay Babbacombe ward.

The Chair also paid tribute to all the staff involved in the organisation of the Devon leg of the Tour of Britain, highlighting the numbers of people lining the 175-mile route and that approximately 200,000 people turned out for the event with £4 million of extra spending generated in the County.

The Council also heard about the display in the ante-chamber championing world mental health day and asking Members to sign up as Mental Health Champions. The Chair asked Members to support this and register accordingly.

133 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

134 Public Participation: Petitions, Questions and Representations

The Leader was presented, by Mrs Jones (Chair of the Environment and Transport Sub Committee of Buckfastleigh Town Council) with a petition organised by the Town Council containing approximately 252 signatures relating to 20 mph speed limits in Buckfastleigh.

A second Petition was given to the Leader from Mrs Metcalfe in relation to there being no inbound bus stop between Exminster (Sammerville Way) and Topsham Road, when there was an outbound bus stop on Bridge Road and highlighting the difficulties this presented to local residents.

A third petition was also received from Jill Richards, containing 230 signatures from people in Hulham Road in Exmouth who were requesting speed cameras to be installed to slow down drivers in that road, due to excess speeds.

The Leader indicated that the relevant Cabinet Member or Chief Officer / Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days.

There was no question from a Member of the public.

In accordance with the Council's Public Participation Rules, the Council received and acknowledged oral representations made by Ms Parrish regarding the number of animal deaths on unfenced roads in Devon and within Dartmoor National Park. The Council noted she had started both an online and paper petition to ask that all unfenced roads were brought down to a maximum of 40 MPH.

The Chair thanked the Ms Parris, highlighting that Members had heard her presentation.

135 Petitions from Members of the Council

There was no Petition received from a Member of the Council.

136 Questions from Members of the Council

In accordance with the Council's Procedure Rules, the Leader and relevant Cabinet Members and a Committee Chair provided written responses to 17 questions submitted by Members of the Council relating to School Clearways outside Haytor View School and associated road safety measures, the use of the Sustainable Communities Act 2007 (allowing local authorities to ask Government to remove legislative provisions regarding the improvement of economic, social and environmental well-being of an area), emergency planning in preparation for a 'no deal' Brexit, the Council's Policy relating to the re-marking of disabled bays, school holiday hunger including interaction and hits on the Council's website, the number of children affected, a comparison with other County Council's, any impact on educational attainment and also working with the County Council's network (CCN) and Local Government Association (LGA) to lobby Government to consider a similar scheme as that operated by the Welsh devolved Government.

There were also questions submitted on wellbeing hubs, how many were open in Devon and due to open over the next two years, any extra provision the Council had created to support those who could require advice over the roll out of Universal Credit, the draft Integrated Care Provider (ICP) Contract, Member briefings on the matter and whether the Council would respond to the Consultation, the re-opening of the landfill site at Heathfield and relevant planning conditions, the role of Highways in modifying District Council planning decisions and conditions, the lobbying of the Department for Transport for investment in rail infrastructure in Devon (for example services to Okehampton, reinstatement of the track from Meldon Quarry to Bere Alston via Tavistock, re-doubling the track from Exeter to Salisbury and investment in the Weymouth to Castle Cary line), implementation of the Government's Air Pollution Strategy including local progress and actions and, finally, what extra provision the Council had in place to supply adequate secondary school places with the rising numbers of children of that age.

The Leader and relevant Cabinet Members also responded orally, as appropriate, to any supplementary questions arising therefrom.

[NB: A copy of the questions and answers are appended to the signed minutes and any supplementary questions and answers may be observed through the webcast of this meeting]

137 Cabinet Member Reports

The Council received reports from the relevant Cabinet Members on matters of interest or service developments relating to their remits which had occurred since the previous meeting

or were likely to have an impact in the future or on specific issues upon which they had been asked to comment, as set out below:

(a) Children's Services and Schools

Councillor McInnes reported, as requested by Councillor Hannaford on the Care Leavers Contract and any ministerial direction, highlighting the policy document 'Keep on Caring' to support young people from care to independence and the key policy pledge to introduce a Care Leaver Covenant. This was a pledge from organisations to make concrete commitments to help improve outcomes for care leavers and the Cabinet Member asked Councillors to do all they could to encourage local businesses to be ambitious in what they could offer to support future generations.

In responding to the request to report, from Councillor Hannaford, on the Free Child Care Initiative (30 hours) including figures, provider capacity, parental subsidies etc, the Cabinet Member highlighted that since September 2017, many 3 & 4 year olds of working families had been entitled to the 30 hour per week free childcare extended entitlement (1140 per year) and the Early Years and Childcare Service had provided training, advice and support to settings to encourage them to offer this extended entitlement. The Report gave figures on the uptake and actions taken to support this initiative and that full details of Childcare Sufficiency would be presented in the Report to the Cabinet on 10th October 2018.

He was further asked to report, by Councillor Hannaford, on period poverty in Devon schools, any school days missed and pilots for free universal access, but the Council did not hold data on which schools provided free sanitary products. However, many schools had products available; often via promotional supplies from companies or bought in by the school. Members highlighted various initiatives that supported this issue including food banks, locality grant applications and the [red box project](#).

Councillor Aves had requested a Report (circulated by the Cabinet Member) on child poverty in Devon (in light of a newspaper article published on 17th September) including the levels of child poverty in Devon, numbers over the last ten years and what the Council was doing to reduce child poverty in Devon. The Cabinet Member highlighted that the latest data on child poverty in Devon was available in the [Devon Joint Strategic Needs Assessment](#) (JSNA) and the [Devon Health and Wellbeing Outcomes report](#). This included the relevant numbers and percentages as well as a District breakdown and comparison. The report also included relevant graphs with data on children in low income families (all dependent children under 16) and the percentage of children aged under 16 living in households dependent on benefits or tax credits (1999 to 2015), as well as an assessment of the relationship between child poverty and wellbeing. The Cabinet Member informed the Council of the actions being taken to reduce child poverty in Devon, such as the use of new intelligence resources and new metrics around poverty and also the various strands of work that addressed the issue, for example working with schools, public health interventions, targeted economic development programmes, advice services and benefit awareness campaigns to name but a few. He also agreed to ensure the Health and Wellbeing Board had oversight of this issue.

Councillor Aves requested a Report on what the Council was doing to push further for more Government funding for the High Needs Block of the Designated School Grant (in light of the new Free School (Special School) not being open by September 2018). The Cabinet Member said that Devon continued to seek a change in the Government's way of allocating funding, as funding for the High Needs Block (HNB) had not kept pace with the growth in pupils requiring Education Health and Care Plans (EHCPs) and lobbied on a national level as part of the f40 group (lowest funded 41 Local Authorities) with the Cabinet Member as the Chair-elect (Chair from October 2018). The Report also highlighted the investment in special schools and the opening of new provision with the number of special school places provided in Devon increasing by 12.4% and also the plan to open additional special school places at Charlton Lodge in Tiverton. As Local Authorities could no longer open new schools and final decisions were with the Regional Schools Commissioner Office, there had been a delay with the opening of Charlton Lodge. In addition, a new special school in Newton Abbot was due to

open in September 2020. The Cabinet Member undertook to issue a briefing to Members after his imminent meeting with MP's on school funding.

Councillor McInnes also responded to Councillor Brennan's request to report on the recent 'Everyday Sexism Project' in August 2018 in relation to rape and sexual assault in schools and the lack of guidelines to schools on how to deal with this issue and what action the Council was taking in light of the report, new guidelines or model policies. The Department for Education (DfE) had published new guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges' in May 2018 which gave clear advice to schools about how to deal with this issue as well as the new Keeping Children Safe in Education (September 2018) statutory guidance which provided additional advice to help school and college staff deal with allegations of child-on-child sexual violence and harassment. Babcock LDP had covered this issue in its termly Forums for Designated Safeguarding Leads and in its half termly safeguarding newsletter for schools. The Police also worked with partners including the Council to provide resources to support practice across a wide range of professionals. Moving forward, the Safer Devon Partnership had been successful in a bid for Trusted Relationships funding. The Cabinet Member offered to discuss the matter further outside of the meeting.

Councillor Dewhirst had also asked the Cabinet Member to report on the level of incidence of loneliness in young people, children in care in particular in Devon and what the County Council was doing to mitigate the effects of loneliness. Whilst there was no specific data in relation to children and young people and no present way to measure the incidence of loneliness in children and young people locally, the Cabinet Member referred to a piece of work recently presented to the Health and Wellbeing Board and advised that a campaign around loneliness was being led and supported by the Board with additional work being undertaken on the relationship between indicators of loneliness and health risk profiles and referred to a piece of work by Action for Children who published a report specifically looking into the impact of loneliness in children, young people and families.

He also responded to questions on investment in the Youth Service.

(b) Economy and Skills

Councillor Gilbert reported, as requested by Councillor Hannaford, on the Devon context and the options in relation to various Brexit scenarios, including the fishing industry, an analysis over possible trade deals, asking that consideration of these issues be embedded into strategies and policies including representations to ministers and local MPs. The Report gave a background on the current position with fishing ports, landing tonnages, average wages in the industry and the broader issue of coastal communities and the work of the Council in this regard. Whilst the Council had not undertaken a scenario analysis about the impact of specific Brexit scenarios on the fishing industry, in September 2018, the Council submitted a response to DEFRA's consultation on the future of fisheries policy and highlighted the key points made in this response as well as the importance of Devon's marine environment and the need to ensure that this environment was adequately protected after Brexit.

He also reported on the current position with any unspent EU grant money in respect of the Devon and Somerset allocation as asked for by Councillor Hannaford, highlighting the EU funded programmes, how monies were allocated and the current ERDF position in the Heart of the South West which was out of a total allocation of £53.6m, £21.6 million ERDF had been formally contracted across 17 projects; and 15 proposals with a total value of £28 million were in the business process demonstrating the ERDF programme was 92% committed, or in the pipeline. With the ESF programme, out of a current total allocation of £39.8m, £21.6m had been formally contracted across 12 projects. The ESF programme was 90% committed, or in the pipeline. With the EAFRD position, the programme was fully committed, inclusive of pipeline projects.

In summary, the Cabinet Member highlighted that approximately 93% of EU grant monies were committed and consequently only 7% remained unspent.

He also circulated a Report on the Automated and Electric Vehicles Act 2018 and electric chargepoints and any implications for the Council, as requested by Councillor Atkinson. The Report highlighted that the Council was keeping abreast of developments in both autonomous vehicle technology and were engaged in InnovateUK programmes aimed at trialling ultra-low emission vehicle charging initiatives. The Council was also willing to work with private sector partners to fund, test and develop innovations, ensuring that what was introduced was appropriate in terms of the type of infrastructure installed, accessibility and safety in relation to the highway.

(c) Highways Management

Councillor Hughes commented, as requested by Councillor Hook on the progress with the Wray Valley Trail and the Teign Estuary section of cycleway between Newton Abbot and Teignmouth and also reported on the progress with part 1 claims on the South Devon Highway, as requested by Councillor Dewhurst.

In relation to the Wray Valley Trail, 7km of the 10.5km Wray Valley trail was now complete, given the investment in recent years. The remaining 3.5km was controlled by the Council and only two portions of land remained outstanding. Work was underway to acquire the remaining land and deliver the remaining length of the trail by Summer 2019. Work to develop the Teign Estuary multi-use trail was being progressed in partnership with local stakeholders. From the Passage House Inn to Bishopsteignton, design work was continuing to secure the route, land and planning, however, the section between Bishopsteignton and Teignmouth remained challenging and would require significant levels of funding to be identified, but the Teign Estuary Trail remained a long-term aspiration for the Council. Between Dawlish and Teignmouth an expression of interest for external funding through the Coastal Communities Fund was submitted in May 2018.

In relation to the South Devon Highway, he commented that the Council was expecting to be in a position at the end of the year to have a completed assessment.

(d) Community, Public Health, Transportation and Environment

Councillor Croad circulated a Report, as requested by Councillor Hannaford on the ongoing work to Exeter's flood defences with particular reference to the concerns of local residents and businesses that at some locations work seemed to have slowed or even stopped. The Cabinet Members Report gave the background to the scheme, with phase 1 being substantially completed in October 2016 and Phase 2 which started in June 2016, following planning consent and covered a range of more complicated works and flood structures in six zones extending from Cowley Bridge in the north to Countess Wear in the south. The Report outlined that work in most zones was well advanced or nearing completion, particularly along the right bank of the river from Exwick through to Exe Bridges, but much of the effort was in areas of lower public visibility.

Photographs of works taking place during September 2018 was provided at Appendix 1 to the Report and also reported was the future planned activity for October and beyond.

The Cabinet Member, following a recent Cabinet debate and queries from Members, updated the Council on the current arrangements regarding the provision of bus shelters across the County including the arrangements in Exeter with Clear Channel for the supply and maintenance of bus shelters. For outside of Exeter, the pattern of ownership of bus shelters had evolved over many years and the Council had a specified budget to assist parishes or districts with the installation of new bus shelters on the condition that the parish or district took on maintenance.

138 Minutes

The Chair of the Council **MOVED and it was duly SECONDED** that the Minutes of the under-mentioned meetings of Committees be approved.

Development Management Committee	-	25 July & 19 September 2018
Audit Committee	-	27 July 2018
Appeals Committee	-	3 September 2018
Procedures Committee	-	10 September 2018
Investment & Pension Fund Committee	-	14 September 2018
Children's Scrutiny	-	17 September 2018
Health & Adult Care Scrutiny	-	20 September 2018
Corporate Infrastructure & Regulatory Services Scrutiny	-	25 September 2018

The Motion was put to the vote and declared **CARRIED**.

139 Scrutiny Call in and Meeting Timescales (Minute 107 of 24th May 2018)

Pursuant to County Council Minute 107 of 24 May 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Connett that:

Members and Officers be reminded that a call in for scrutiny requests the Chief Executive to convene a meeting within five working days of the request being made. Part 4 article 17.4 of the DCC Constitution refers.

Therefore, the County Council confirms that the requirement to convene a meeting to consider a call in be strictly adhered to unless those members requesting a call in agree to an alternative way of dealing with a call-in request.

and having had regard to the advice of the Procedures Committee as set out in Minute 43 of 10th September 2018 that there had been no breach of the Council's Standing Orders and that the meeting had been arranged in line with those Standing Orders, there was no requirement to amend the current processes.

Councillor Chugg **MOVED** and Councillor Hart **SECONDED** that the advice of the Procedures Committee be accepted and that no further action be taken on the Notice of Motion.

The amendment in the name of Councillor Chugg was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

140 Outsourcing and Devon County Council Contracts (Minute 124 of 19th July 2018)

Pursuant to County Council Minute 124 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

This Council is concerned that outsourcing Devon County Council (DCC) contracts can reduce financial flexibility and the ability to respond to changes in policies and facilitate effective cross department working across interrelated DCC services in complex areas like the health and wellbeing of children. Accordingly, DCC can no longer afford to be locked into long term, difficult if not impossible to vary contractual schemes for services like Children and Mental Health if it wishes to remain responsive to the needs of Children from birth to age 25.

In view of cross party concern to fully and effectively integrate cross department working in children's health and mental health services and education Devon County Council should bring back key services in-house and manage them in the wider public interest including value for money (defined broadly to include effects on public revenues and community wellbeing at large) and social value tests.

and having had regard to the advice of the Cabinet set out in Minute 226(a) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that no further action be taken on the Motion, but the Council be asked to note the continued commitment and investment in joint arrangements for the commissioning of mental health services for children. The Council will continue to use its influence as a key partner in strategic and commissioning arrangements to further improve mental health services for children.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

(In accordance with Standing Order 32(4) Councillors Dewhirst, G Hook and J Hook asked that their vote against Councillor Harts motion be recorded).

141 Badger Culling and County Council Property (Minute 125 of 19th July 2018)

Pursuant to County Council Minute 125 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson:

The Council will not permit badger culling to take place on property owned by the County Council and calls for the badger cull to be ended throughout Devon; due to the scientific consensus that it is ineffective and is therefore cruel and unnecessary.

The Council calls on DEFRA to begin a nationwide vaccination programme of badgers, which initial studies show to be highly effective in preventing the spread of bTB.

With the TB vaccine becoming available again, the Council calls on the government to instead invest in the development of cattle vaccine, more effective TB tests and introduce other measures to improve farm biosecurity as a vital part of effectively controlling bTB such as effective cattle movement controls

The Council calls on all governments, present and future, to not authorise badger culls for the purpose of controlling the spread of bTB, unless there is overwhelming scientific evidence showing the potential cull to be effective and necessary.

and having had regard to the advice of the Cabinet set out in Minute 226 (b) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted that the content of the Notice of Motion be noted as well as the activities of Government continuing to widen the scope for culling zones across the country (as currently the most likely effective solution), and that there are continuing trial vaccinations taking place. The Council are not able to prevent County Farm tenant's from participating in a licenced and lawful cull.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

(In accordance with Standing Order 32(4) Councillors G Hook and J Hook asked that their vote against Councillor Harts motion be recorded).

142 Dorset and East Devon National Parks (Minute 126 of 19th July 2018)

Pursuant to County Council Minute 126 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Shaw that:

This Council supports the establishment of a Dorset and East Devon National Park and resolves to submit a case for this to the DEFRA review of national parks.

and having had regard to the advice of the Cabinet set out in Minute 226(c) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted in that the Council welcomes the work of the independent panel in undertaking its review of National Parks and AONBs and, based on the significance and extent of these nationally protected landscapes in Devon, invites it to visit Devon and draw on the experience of this Authority and others involved in the management of these areas; and that the Council defer any expression of support for the establishment of a Dorset and East Devon National Park unless or until the overriding benefit of this approach to Devon's wider interests is clearly demonstrated.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED**.

Councillor Hannaford then **MOVED** and Councillor Biederman **SECONDED** that the Motion be amended by the addition of the following sentence after the word 'demonstrated'.

'That the establishment of any new national park should come with additional funding.'

The amendment in the name of Councillor Hannaford was then put to the vote and declared **CARRIED**.

The Motion in the name of Councillor Hannaford was then put to the vote and declared **CARRIED**.

143 Road Repairs and Skanska Contract (Minute 127 of 19th July 2018)

Pursuant to County Council Minute 127 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hook that:

The quality of road repairs since Skanska took on the contract has reached a new low. Certainly, that is the case in Newton Abbot. Consequently, officers will make early recommendations to Cabinet for immediate improvements in the quality of workmanship. These recommendations to include more frequent quality control inspections and the imposition of financial penalties for inadequate work, demonstrated by the need to return to any given pothole or equivalent piece of work within a 6 month period.

and having had regard to the advice of the Cabinet set out in Minute 226(d) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted in that Council be advised that a Scrutiny Task Group has been established by the Corporate Infrastructure & Regulatory Services Scrutiny Committee, and that the outcomes from that review are considered by Cabinet when they are available.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

144 Community Hospital Buildings (Minute 128 of 19th July 2018)

Pursuant to County Council Minute 128 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Wright that:

This Council notes the millions of pounds that local communities have invested into their community hospitals over many years, across Devon.

This Council appreciates how much local people care about their hospitals, about retaining beds in those hospitals that still have them and about retaining health services in those that have lost their beds.

This Council acknowledges that the strong feeling that is present in many communities in Devon about the retention of community hospital buildings where beds have been closed.

This Council strongly supports the retention of all Devon community hospital buildings for the provision of health and social care services and will strongly oppose any plans to declare any community hospital building surplus to requirements.

and having had regard to the advice of the Cabinet set out in Minute 226(e) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that Council note this is a matter for the NHS, but the Council will work in partnership to influence decision making appropriate to individual circumstances, including population need and the quality of building.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED**

Councillor Shaw then **MOVED** and Councillor Wright **SECONDED**

That after the words 'That Council' insert 'welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore'.

That the words 'be asked to note that' be replaced with 'while'.

The word 'but' be deleted; and

replace all words from the word 'appropriate' and insert text: 'in the direction of retaining all community hospitals to be used as health and wellbeing centres for their areas.'

The amended motion to read (new text in red):

*That Council **welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore** while this is a matter for the NHS, this Council will work in partnership to influence decision making **in the direction of retaining all community hospitals to be used as health and wellbeing centres for their areas.***

Councillor Biederman **MOVED** and Councillor Wright **SECONDED** that, in accordance with Standing Order 32, the vote on the amendment in the name of Councillor Shaw shall be by a roll call vote.

The Motion was put to the vote and declared **LOST**.

The amendment in the name of Councillor Shaw was then put to the vote and declared **LOST**.

(In accordance with Standing Order 32(4) Councillors Ackland, Atkinson, Aves, Asvachin, Brennan, Hannaford, Hawkins and Whitton asked that their vote for Councillor Shaw's amendment be recorded).

Councillor Hart then **MOVED** and Councillor McInnes **SECONDED** that the Motion be amended to incorporate the words from the failed amendment and the addition of words 'where appropriate'. To read as follows.

*That Council welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore while this is a matter for the NHS, this Council will work in partnership to influence decision making in the direction of retaining all community hospitals, **where appropriate**, to be used as health and wellbeing centres for their areas.*

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and thereafter as the substantive motion.

145 Universal Credit (Minute 129 of 19th July 2018)

Pursuant to County Council Minute 129 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson:

Universal Credit is due to be rolled out in Devon in September. The National Audit Office has concluded in its recent report that Universal Credit has not delivered value for money and it is uncertain if it ever will.

The NAO has "significant doubts" about the DWP's expected savings. Universal Credit currently costs £699 per claim, which is four times as much as the DWP intends for it to cost when the systems are fully developed, the report said.

Local and national bodies, as well as claimants, showed the NAO evidence of people suffering hardship during the rollout of the full UC service. The report said: "These have resulted from a combination of issues with the design of Universal Credit and its implementation. The department has found it difficult to identify and track those who it deems vulnerable. It has not measured how many Universal Credit claimants are having difficulties because it does not have systematic means of gathering intelligence from delivery partners."

Its survey of full service claimants, published in June 2018, the department found that four in ten claimants that were surveyed were experiencing financial difficulties."

The report said that while it recognises the "determination and single-mindedness" with which the DWP has "driven the programme forward to date, through many problems" local and national organisations have raised issues and the department does not accept that UC causes hardship among claimants "because it makes advances available and believes that if claimants take up these opportunities hardship should not occur".

There are serious problems with the system's design and implementation. People need better support to make claims and should not be left without enough money to live on. It is unhelpful that the government reduces 40% from people's benefits to pay back a loan given to them to survive the month long gap before they receive their first payment."

The Council is urged to write to the DWP to ask what its plans are for making sure that the claimants in Devon do not suffer hardship in the changeover and to ensure that claimants can get the advice and support from the DWP and independent agencies.

and having had regard to the advice of the Cabinet set out in Minute 226(f) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that the spirit of the Notice of Motion be welcomed and that the Council supports the overall aims of Universal Credit as described in the briefing note circulated to the Cabinet (CSO/18/25). The Council recognise that Universal Credit is a very complex programme and that the Department of Work & Pensions is working to address the problems highlighted in the National Audit Office's report; and will continue to support the DWP, JobCentrePlus, Devon's District Councils, Devon Citizens Advice and many other organisations in providing advice and support to claimants as Universal Credit is rolled out in Devon.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

146 Environmental Protection (Minute 130 of 19th July 2018)

Pursuant to County Council Minute 130 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Wright that:

This Council shares the government's desire to leave our environment in a better state than it is now.

But its proposals are unlikely to achieve that ambition. They will leave the environment with weaker protection than it currently has under our EU membership - a long way off the 'world-leading watchdog' it promised.

To deliver the protection the environment needs, this council calls on the government to ensure that the proposed new law, must at least:

- *Deliver world-leading environmental governance, including the watchdog promised, with powers that are at least as strong than any other environmental watchdog in the world, which any citizen can complain to for free.*
- *Deliver a watchdog which will investigate all breaches of environmental law by any part of government, including reviewing and challenging significant, strategic or nationally important planning and infrastructure decisions, robustly enforce the law including through fines and legal action, and ensure public bodies act to ensure damage is restored.*
- *Put environmental principles into law, not just policy. These principles should include at a minimum, those environmental principles found in the EU treaties (for example, that principle that polluters should pay to rectify damage they cause), but the bill should allow for the addition of new principles where appropriate.*
- *Set legal targets for nature's recovery, against which this and future governments will be held to account, to ensure long-term action that will leave the environment in a better state.*

- *Work with other countries, in a transparent way, to co-develop and co-design environmental governance arrangements and secure our existing environmental principles.*

This Council recognises the huge importance of the Devon environment – both for local residents and visitors who will support the local economy, as well as the wildlife, and urges government to listen to environmental organisations such as the RSPB and significantly strengthen proposals to meet its own strong ambitions for nature's recovery.

and having had regard to the advice of the Cabinet set out in Minute 226(g) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that Council endorse the spirit of the Notice of Motion, noting that appropriate action is already underway to promote the adoption by Government of strong, new environmental policies and enforcement following Brexit, plus new approaches to improving this Authority's own environmental performance in line with the 25 Year Environment Plan.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

147 Devon and Cornwall Police and Dorset Police Merger

Councillor Atkinson **MOVED** and Councillor Hannaford **SECONDED** that in accordance with Standing Order 6(6), the Notice of Motion submitted by Councillor Atkinson be considered at this meeting.

The Motion was put to the vote and declared **LOST**.

Councillor Atkinson then **MOVED** and Councillor Hannaford **SECONDED**, as amended below and with the consent of the Council.

Since 2015, Devon & Cornwall Police and Dorset Police (DC&D) have been working together through a 'Strategic Alliance'. Operational police departments such as Operations, Roads Policing and Prevention as well as 17 other business areas are already operating across the three counties with a further 11 departments currently going through changes which will see them aligned.

The Chief Constables of DC&D Police recently announced their intention to explore a voluntary merger of the two forces. There are no recent examples of successful voluntary mergers of police forces.

Work is now underway to develop a business case for the merger for submission to the Home Office in October 2018, with a decision expected in January 2019.

- *The PCC commenced a public engagement programme across the three counties in August which ended on 28th August, the full business case was not be shared with stakeholders or the PCP before the end of this consultation.*
- *It is understood that at a PCP meeting on 5th October some of the business case may be shared with the PCP before its submission to the Home Office.*
- *DCC had not formally been consulted and this has not been discussed at DCC cabinet or Scrutiny Committee*

The proposed merger will impact funding and on Council Tax across Devon A much higher proportion of Devon and Cornwall's total funding (61.5%) comes from government. Only 53% of Dorset's funding comes from government and a higher proportion comes from the police precept element. Overall, government funding is

more per head for Devon and Cornwall (£103) than Dorset (£85). This would fall to £97.6 per head for a combined force. Having received minimal information regarding the financial impact or benefits of the potential merger, it is difficult to know whether current levels of funding, alongside the substantial reserves held by both forces, would prove sufficient to underwrite any additional costs arising from the merger of the force areas. This is particularly relevant in attempting to understand how the additional 430 police officers or staff would be funded as a result of the merger. At the moment, tax payers in Dorset in an average Band D property pay around £18 a year more for their policing than householders in Devon and Cornwall. Legally, the levels of police precept for both areas must be harmonised for the merger to take place. Will Dorset rates be harmonised down to the Devon and Cornwall level? This seems to have been ruled out. Another proposal is that the rate for Devon and Cornwall will be increased to the Dorset level to fund extra police officers. The estimated increase would mean an extra payment of £1-3 per month (£18 per year) for average Band D residents in Devon and Cornwall.

This motion proposes that the

- Council writes to the PCC to request that the full business case is sent to DCC for its comments before any proposal is submitted to the Home Secretary;
- Council opposes the merger on information it currently has available to it that it will mean an increase of £18 per year council tax for average Band D residents in Devon and Cornwall and writes to the PCC and if appropriate the Home secretary with its views;
- Council censures the PCC in relation to her consultation on the merger as the stakeholder consultation was carried out while important local authority stakeholders were in summer recess and without the business case being made available to stakeholders so that the no meaningful consultation could take place.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

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Children's Bed Poverty

Councillor Hannaford **MOVED** and Councillor Aves **SECONDED**;

More children are living in poverty than at any other time in the past ten years, with 4.1 million children across the UK living below the headline.

Shockingly it's thought that there are over 400,000 children in the UK who do not have a bed of their own.

Without somewhere to rest their head, bedtime routines become difficult, stress levels rise, and getting a good night's sleep is often near to impossible.

Furthermore educational performance deteriorates and safeguarding risks rise.

Over the last five years, Dreams Beds has provided Buttle UK with nearly 10,000 children's beds to donate to those families in desperate need — more than ever before.

With the number of beds that they supplied during those five years rising by 77 per cent.

We applaud the work of this charity, and businesses, social enterprises, church groups, and others across the country in trying to tackle this national scandal.

As corporate parents with a duty of care to all of Devon's children, we resolve that the council formally writes to The Rt Hon. James Brokenshire MP, the Secretary of

State for Housing, Communities and Local Government, and our local members of Parliament, to highlight this issue, and call for serious consideration to be given for a national grants scheme, that allows those in need to apply for help and assistance, to put an end to children's bed poverty.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

[NOTES:

Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by Rev Phil Waites.

The Minutes of this meeting and of any Committee referred to above (together with minutes of the Council's Cabinet, Health & Wellbeing Board and Pension Board which while not part of the formal Agenda of this meeting are available on the County Council's Website.

*Minutes should be read in association with any Reports or documents referred to therein, for a complete record.
A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-i.tv/core/portal/home>]*

The Meeting started at 2.15 pm and finished at 5.18 pm



**QUESTIONS TO THE
LEADER OF THE COUNCIL, CABINET MEMBERS
AND/OR
CHAIRMEN OF COMMITTEES**

Thursday 4 October 2018

**1. QUESTION FROM COUNCILLOR G HOOK
Re: School Clearways**

The Teignbridge HATOC (26/07/18) approved making the existing advisory School Clearways outside Haytor View Primary School in my ward (Newton Abbot South) mandatory. The reason given was to improve road safety. As local member I strongly supported this proposal. Does the Cabinet Member not agree with me that all Devon Schools should have similar road safety measures in place? Will he join with me in supporting such action county wide? If so, what does he propose to do to advance this child safety measure? If not, why not?

REPLY BY COUNCILLOR HUGHES

School "Keep Clear" markings have been applied to make access to schools safe for highway users, including parents and students, at a significant number of schools across the County. The vast majority of these markings are well respected, however in some instances, such as Haytor View Primary School, there is a need to make the restriction "mandatory" as you describe to allow our parking enforcement team to assist in maintaining safe access to the school. Conversion to mandatory status requires a Traffic Regulation Order and additional signing, which have associated costs in terms of staff time and draw on available budgets.

Having discussed with Officers I do not feel that taking a blanket Countywide approach to change all existing markings to mandatory status is necessary, each location should be considered on its own merits and needs. Therefore, if Members wish to see specific locations changed to mandatory status after more informal routes have been exhausted, for example schools raising issues with parents directly through newsletters, then Members may wish to include sites in their list of schemes for HATOC waiting restriction review consideration.

**2. QUESTION FROM COUNCILLOR SHAW
Re: Effect of Brexit on Devon's communities, environment and businesses**

Will the Leader follow the example of Plymouth City Council and use the Sustainable Communities Act 2007, which allows local authorities to ask central government to remove legislative or other barriers to the improvement of the economic, social and environmental well-being of their area, to ask the Government to provide all government departmental information and analysis pertaining to the effect of Brexit on Devon's communities, environment and businesses?

REPLY BY COUNCILLOR HART

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There are significant uncertainties and potential impacts associated with the UK's exit from the European Union. The Government is entering the final negotiation phase with the EU on the terms of the withdrawal agreement. There is the possibility that if the government's negotiations are not successful or if withdrawal treaty is not ratified by the UK Parliament and/or the European Parliament then the UK will leave the EU without a deal.

The economic, environmental and social impacts, both positive and negative, will be felt across the County, the South West and UK as a whole. The Heart of the South West Joint Committee is due to consider risks and uncertainties at its meeting on 5th October 2018. The Council is working with the Local Government Association and the County Councils Network to provide information on potential impacts on the Council and maintain links with Government Departments.

The Sustainable Communities Act 2007 provides for local authorities to make proposals to central government which they consider would contribute to promoting the sustainability of local communities. Plymouth City Council has used this power to request the "immediate receipt by Plymouth City Council of all government departmental information and analysis pertaining to the impacts upon Plymouth's communities and businesses of the UK's withdrawal from the European Union, including any information deemed by the government to be confidential." This appears to be a novel use of the legislation: press reporting suggests that Plymouth City Council is the first local authority to use the power in this way. The Government is yet to respond to the request. I propose that we wait to see the outcome of Plymouth's request before judging whether that is the most effective way of engaging with the Government on this important issue.

3. QUESTION FROM COUNCILLOR SHAW Re: Emergency Planning and Brexit

Will the Leader inform Council what he has done or proposes to do, given the Council's responsibility for coordinating emergency planning, to prepare in conjunction with other authorities for the danger of a 'no deal' Brexit in March 2019?

REPLY BY COUNCILLOR HART

The Chief Executive chairs the Heart of the South West Brexit group which has been undertaking work into the impact of Brexit on various sectors of the economy and monitoring business confidence for the past two years. The Group are also working with the LGA, contributing to its Brexit Commission.

As for contingency and emergency planning, it is very difficult to know what contingency the Council is planning for at the end of transition period in December 2020. When this has become clearer the Council will make whatever plans, including business continuity plans, that are required.

Discussions have started with partners in the Local Resilience Forum (LRF) which includes all the partners from across Devon, Cornwall and the Isles of Scilly, including all the local authorities, the blue light services, and health. Guidance will be available from the Ministry of Housing, Communities and Local Government and the subject will also be on the agenda at a national meeting of all LRF Chairs. An exercise for LRFs is being developed and Devon will play its part in this exercise to ensure that the challenges are fully understood and that appropriate planning is in place.

Brexit is now a standing item on the regular meetings of the Devon Emergency Planning Service, and the opportunity will be taken to share information and plans to ensure that Devon is well placed to respond to whatever consequences there are to the outcome of the Brexit negotiations.

4. QUESTION FROM COUNCILLOR G HOOK

Re: Disabled Bays

Can the Cabinet Member confirm that DCC Highways contractor re-marks disabled bays without checking if the bay is still required by the original recipient? It is reported to me that some of those originally seeking the provision of such a parking facility have died, and in some cases died some years ago. Does the Cabinet Member agree with me that this policy should be reviewed as the current situation is wasting public money? Will he therefore instigate such a review as a matter of some urgency, before more public money is wasted?"

REPLY BY COUNCILLOR HUGHES

Where Disabled Bays have been provided they are not allocated to a specific person or for the sole use of a person, but are provided for any blue badge holders to use in the area. As such DCC do not routinely check that the bay is still required by the original applicant, before issuing an order to a contractor for re-marking. We do however respond to requests from individuals to carry out reviews of the need for disabled bays in an area when the question of the original applicant having moved on is brought to our attention and this has been found to be the most effective way of managing the provision of disabled bays.

5. QUESTION FROM COUNCILLOR HANNAFORD

Re: Holiday Hunger and Council Website

Can the Cabinet Member please provide an update about the public's interaction with the information on the Council's website regarding holiday hunger during the recent summer holidays?

REPLY BY COUNCILLOR MCINNES

From the period 23 July to 2 September (over the summer holidays) the webpage <http://www.devonhealthandwellbeing.org.uk/library/schools/food-poverty-and-schools/free-or-low-cost-food-during-summer-holidays-2018/> was viewed 211 times.

6. QUESTION FROM COUNCILLOR HANNAFORD

Re: Number of Children affected by holiday hunger

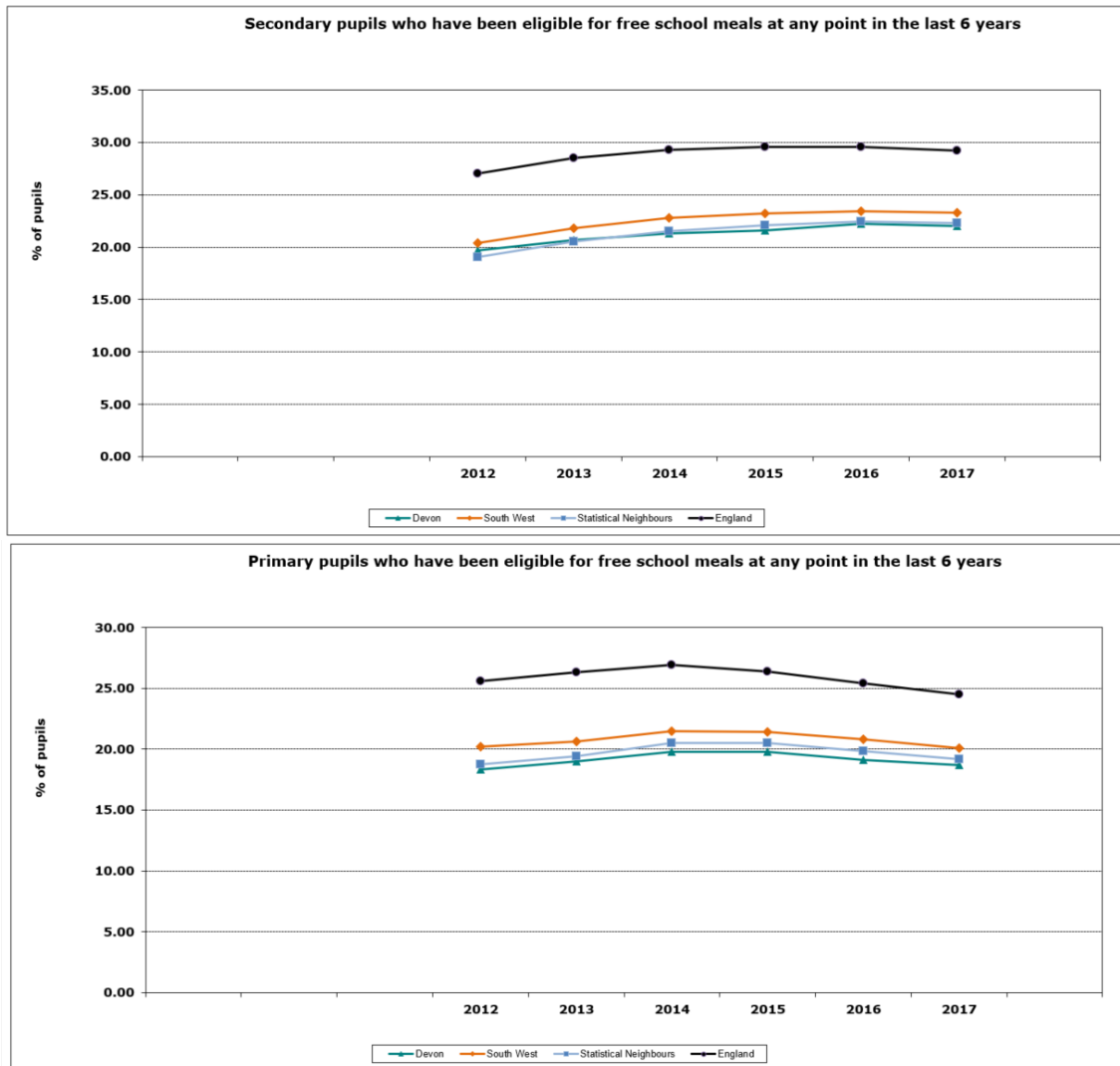
Does the Council know how many children in Devon are affected by holiday hunger?

REPLY BY COUNCILLOR MCINNES

Data held by Education in relation to Holiday Hunger is limited to records of children in receipt of Free School Meals however we hope the below information is helpful.

Devon has a lower number of children eligible for and claiming free school meals than that seen nationally, or within the South West at both secondary and primary school level.

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These statistics do however mask some areas of high deprivation as outlined in the National state of the Nation report.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662744/State_of_the_Nation_2017 - Social Mobility in Great Britain.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662744/State_of_the_Nation_2017_-_Social_Mobility_in_Great_Britain.pdf))

To support those families in need over the summer the Public Health team collated information on where families could get free or low cost food onto a searchable webpage.

<http://www.devonhealthandwellbeing.org.uk/library/schools/food-poverty-and-schools/free-or-low-cost-food-during-summer-holidays-2018/>

The link was widely circulated to schools, via DAPH and DASH newsletters and to all Children's Centres, the Public Health Nursing Service and the School Communications Website.

More information on the issue of food poverty is also available here:

<http://www.devonhealthandwellbeing.org.uk/jsna/overview/archive/economy/food-poverty/>

7. QUESTION FROM COUNCILLOR HANNAFORD

Re: holiday hunger comparison with county councils

How does Devon compare with other county councils that we are benchmarked with in relation to holiday hunger?

REPLY BY COUNCILLOR MCINNES

Please see graphs as above in questions 6.

8. QUESTION FROM COUNCILLOR HANNAFORD

Re: Long term effects of holiday hunger

Have we been able to correlate how long it takes pupils after the summer holidays, who have been affected by this problem, to get back their educational attainment?

REPLY BY COUNCILLOR MCINNES

The Council does not hold data for this and cannot see a way of obtaining it.

9. QUESTION FROM COUNCILLOR HANNAFORD

Re: lobbying government re. holiday hunger

Can we work collectively with the CCN and LGA to lobby central government to look at implementing a similar scheme to that which is operated by the Welsh devolved government?

REPLY BY COUNCILLOR MCINNES

This would need significant Government funding and involvement from Communities in order to deliver this and would not be an education-based offer unless done in full consultation with schools.

10. QUESTION FROM COUNCILLOR AVES

Re: Wellbeing Hubs

How many Wellbeing Hubs are there already open in Devon and how many are there being set up now to open in the next two years plus where are they?

REPLY BY COUNCILLOR LEADBETTER

Health and well-being hubs are developing in different ways across the County as networks of statutory and voluntary services come together to support communities in different ways. Probably the best known example of a building known as a health and wellbeing hub is the one in Budleigh Salterton which was visited by Matt Hancock (Secretary of State) on 26 September and I referred to in my recent members newsletter. However this is one model and there are examples of similar arrangements around Primary Care (GP practices) and 'virtual networks' that best serve their particular community needs. The key ingredient is meaningful and effective local engagement to determine the right solution for each community.

A summary across the County is:

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In the North of the County we have planning underway for 4 extended primary care teams which align GP practices and multi-disciplinary teams and One North Devon are overseeing an extensive review of health and wellbeing needs with communities, this includes the use of virtual hub sites.

In the East multi-disciplinary teams remain sited in clusters and are engaging with primary care to form extended primary care teams and facilitated "community conversations" involving local people, alongside statutory agencies, are defining wellbeing priorities based on local need and developing solutions to respond. Over the course of the next year, the output will be a co-owned and coproduced plan which may include the development of physical or virtual wellbeing hubs. Currently, there is one health and wellbeing hub in Budleigh Salterton which is managed by Westbank.

In the West of the County (Plymouth, South Hams and West Devon) Primary Care and the provider Livewell are working on integrated models of care and there are plans to rollout 12 wellbeing hubs over the next two years as part of an initiative designed to focus on prevention and make services easier to access in neighbourhoods.

In the South of the County multi-disciplinary teams are aligned to Primary Care and Health and Well-being centres are in place in Chudleigh / Teignmouth / Bovey Tracey / Ashburton & Buckfastleigh / Paignton and Dartmouth. Centres offer a range of health and wellbeing services, provided by statutory and voluntary sector organisations and local Health and Wellbeing Teams use these centres as a base from which to deliver services to the community.

11. QUESTION FROM COUNCILLOR AVES **Re: Universal Credit**

What extra provision has Devon County Council put in to support those that may need advice over the roll out of Universal Credit in Devon this September?

REPLY BY COUNCILLOR HART

The County Council supports welfare claimants in general in several ways, including:

- Commissioning Libraries Unlimited who provide free wi-fi, public IT facilities and advice in libraries;*
- a core £440k grant to Citizens Advice, covering benefits and other advice;*
- the Community Impact Support Scheme (CISS) which provided grants to the social economy to mitigate challenges arising from welfare reform and wider public-sector cuts; and*
- hosting of a Devon Strategic Partnership conference focusing on the impact of welfare reform and other economic issues affecting Devon's communities.*

Additional support specifically for the roll out of Universal Credit includes:

- membership of the Department of Work and Pensions (DWP) Vulnerable Customer Network which develops joint approaches to support the most vulnerable claimants;*

- *partnership working between DWP Work Coaches and DCC Family Intervention teams,*
- *a series of joint DWP/DCC presentations to help front line workers support families in the transition to Universal Credit;*
- *briefings about Universal Credit for specialist staff whose clients have substance misuse issues;*
- *introduction of an easy claims procedure for free school meals, which now need to be claimed directly;*
- *promotion of two Credit Unions (West Country Savings and Loans and City of Plymouth Credit Union) who offer budgeting accounts for Universal Credit claimants and*
- *together with District Councils, promotion of the Council Tax Support scheme and funding of the Extreme Hardship Fund.*

DWP has entered into a new partnership with Citizens Advice to provide advice services to Universal Credit claimants. CAB will run this developing service alongside District Councils until 31 March 2019, then they will deliver the full service solely from April 2019.

12. QUESTION FROM COUNCILLOR ATKINSON **Re: Integrated Care Provider Contract**

Following two recent judicial reviews in NHS England's favour, NHS England are now consulting on lead provider integrated care models and on the draft Integrated Care Provider (ICP) Contract. The previous iteration of this draft ICP Contract was referred to as the draft Accountable Care Organisation (ACO) Contract. It has now changed the terminology to 'Integrated Care Provider' and 'Integrated Care Model'– to promote integrated service provision through a contract to be held by a single lead provider.

It is now consulting on whether to issue the ICP Contract as a formal alternative to the NHS Standard Contract for use by commissioners wishing to commission an integrated model of care for their population, subject to their proposals being reviewed by NHS England and NHS Improvement through the Integrated Support and Assurance Process (ISAP) and enabling Directions being made the Secretary of State. The consultation started on 3rd August right at the beginning of the LA and other holiday period and ends in October. It seems that Council officers and members of Cabinet were unaware of the consultation and the recent consultation event on 18th September in Exeter.

Does the council intend to:

- give all Councillors a full briefing on these proposals so as to understand how these will affect the recently adopted Devon County Council Integrated Care Partnership approach, and
- respond to the consultation setting out for instance why our approach is to be preferred to this?

REPLY BY COUNCILLOR LEADBETTER

The NHS England event held in Exeter on 18 September was a consultation on contracting arrangements for 'Integrated care providers' (ICPs). As stated in the question this may become an option to replace the existing NHS standard contract and would be for use by NHS commissioners with an ICP for NHS services in the event that a local system chose to adopt this approach. There are no current plans in Devon to use this contracting tool.

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This is very different to the focus of work in Devon which is around developing an 'Integrated care system' (ICS). Developing an ICS is not the creation of a new organisation, but rather a strengthening of partnership working with health and care organisations working more closely together than ever before to the benefit of our population. The NHS Constitution and the Local Authority Constitution will remain central to all we do, meaning anyone can receive high quality NHS care, free at the point of access, whenever they need it. People will still see a GP when they need it and there will still be hospital care. Health and Care delivery models are becoming increasingly organised around the needs of individuals and not organisational boundaries. There is no change to legislation, statute or constitution.

I am proud that Devon is nationally recognised for the inclusion of local government in ICS development and that we have such strong local relationships. We will continue to keep members updated via my members newsletter and Health and Adult Care Scrutiny have various opportunities to discuss this work in its work programme including working groups, masterclasses and at Scrutiny itself. As Chair of the Health and Wellbeing Board (HWBB) I am looking at the role that the HWBB may take in governance of any integrated care system and will fully involve Scrutiny in that which also includes a joint HWBB/scrutiny workshop on 13 December.

In relation to the specific consultation referred to around the ICP contracting tool, officers will link with local NHS commissioners to contribute to any feedback provided.

13. QUESTION FROM COUNCILLOR HODGSON Re: Waste Landfill Site at Heathfield

With regard to our recent approval of a detailed waste report and action plan (Cabinet 24.05.18, Full Council 24.5.18), why was there a Devon County Council Officer recommendation of conditional approval for the reopening of a landfill site at Heathfield rather than a requirement for the development of an Integrated Waste Management Facility, comprising a Materials Recovery Facility (MRF) and In-Vessel Composting (IVC) facility at this site, as this had been approved as part of the earlier planning applications on this same site in 2005 with a condition of 18 months for this to be installed?

Although the IWMF was later granted a permanent extension as part of a temporary extension to the life of the landfill up to 31st January 2018, the MRF and IVC advanced waste sorting and recycling systems have never been installed; What was the reason for this failure to comply with this important element of their planning permission? Why didn't the Council planning officers require the applicants to install the recycling facilities during the intervening years or recommend refusal of further extension to the landfill site to pressure the applicant to manage waste more efficiently and recycle rather than simply landfill this waste? It is my view that to allow applicants to not comply fully with all elements of their planning proposals and support further proposals that contravene our own waste proposals and policies to mitigate climate change makes a mockery of our role as a key policy maker.

REPLY BY COUNCILLOR BROOK

The Chief Planner's report recommended approval of the proposal to reopen the landfill facility at Heathfield as it was considered important to maintain capacity for the landfilling of waste in Devon for materials that are difficult to manage through reuse, recycling or energy recovery. Landfill capacity is also required during times when the county's two energy recovery facilities are unavailable during their maintenance periods.

The 2005 planning permission for an integrated waste management facility did include a requirement in the accompanying legal agreement for the IVC and two materials recycling facilities (MRFs) to be operational within 18 months of commencement of development and to be operated for the duration of the landfill facility. This requirement was intended to assist in achieving the reducing targets for the quantity of household waste to be disposed of through landfill.

The in-vessel composting (IVC) facility was implemented at Heathfield and managed mixed food and garden waste from south Devon. However, the trend towards separate collection of food waste and its treatment by anaerobic digestion has led to the closure of the IVC, with garden waste managed through on-farm composting.

The two MRFs approved in 2005 were to manage different waste streams, one to bulk up household dry recyclable materials from kerbside collections or civic amenity sites, with the other to cater for commercial skip waste with some limited sorting. While neither of these facilities were implemented at Heathfield, the separation and bulking up of waste for recycling has been achieved at other waste management facilities in the area, with the residual non-recyclable waste being landfilled at Heathfield. More recently, other waste operators have established a waste transfer station for the management of skip waste and a facility for the management of demolition waste and scrap metals, each occupying all or part of the areas at Heathfield originally consented for the MRF and IVC facilities.

While national and local waste policy support the management of waste through reduction, reuse, recycling and recovery in preference to disposal, it is recognised that there will remain a small proportion of residual waste that will require landfilling, and it is therefore necessary for the County Council to make provision for this. The reopened landfill facility at Heathfield will be part of a wider network of recycling and recovery facilities run by local authorities and commercial waste operators that will help to ensure that Devon's waste is managed in accordance with the waste hierarchy, and there is no reason why this infrastructure should be provided at Heathfield alongside the short-term landfill facility.

14. QUESTION FROM COUNCILLOR HODGSON
Re: District Council Planning Decisions

What role and rights do Highways officers have in modifying District Council planning decisions and conditions when further to approval these are presented as part of a formal S106 agreement for approval by Devon County Council as a party to that agreement with the planning applicant (and the District Council)? Should the South Hams District Council Ward member and / or the Devon County Council Divisional Member be informed of any such proposed modifications?

REPLY BY COUNCILLOR BROOK

Devon County Council officers have no 'rights' to modify a Local Planning Authority (LPA) planning permission. In working up highways details of consents it sometimes emerges that there are previously unknown technical, legal or procedural difficulties with schemes. If these mean a divergence from the planning permission or approved drawings DCC officers either check, or advise the applicant to check, with the LPA whether the scheme is still compliant or whether a modification to the consent is required. The local county Ward Member should be made aware of any substantive changes that may arise in their Ward. It would be the responsibility of the LPA to advise their councillors of any agreed changes.

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15. QUESTION FROM COUNCILLOR ATKINSON Re: Rail Infrastructure

Given that Network Rail has recently sold its railway arches for £1.5bn will the Council seek the support of the Peninsula Rail Task Force, and the OkeRail Group and the South West Rail All Party Parliamentary Group to lobby the Department for Transport for some of this to be used to invest in rail infrastructure in Devon such as:

- Investment in Services to Okehampton and the reinstatement of the track from Meldon Quarry to Bere Alston via Tavistock;
- Investment into re-doubling the track on the inadequate 'West of England' (Southern) main line from Exeter - Salisbury, so as to create a faster more frequent service to London Waterloo. This vital investment would also create a viable diversionary route for GWR trains via the southern route to Castle Cary and London Paddington
- Investment in the Weymouth - Castle Cary 'Heart of Wessex' line, to speed up the diversion to Paddington (Yeovil Jcn - Castle Cary), and to facilitate direct trains to Exeter from Bournemouth and Weymouth'.

REPLY BY COUNCILLOR DAVIS

It is encouraging news that Network Rail have committed to using these funds to bring much needed improvements to our railway. Through my involvement with the Peninsula Rail Task Force, the Council will continue to push for improvements that will deliver a more resilient and better connected railway with a better passenger experience for people living in Devon and the South West peninsula. In recent months the Chair of the PRTF has been meeting with MPs across the whole peninsula with the purpose of seeking support for two principal issues: making the mainline between Dawlish and Teignmouth more resilient and pushing for involvement in the national 5G pilot so that trains between London and Penzance have better Wi-Fi and mobile connectivity and passengers can be more productive on their journeys. The response from the MP briefing has been overwhelmingly positive and they are keen to support with specific actions ahead of the upcoming budget.

Earlier in the year the Rail Minister Jo Johnson responded to the Peninsula Rail Task Force's strategic rail blueprint "Closing the Gap" asking that Great Western Railway (GWR) develop proposals to trial regular services between Exeter and Okehampton, which may be delivered through the franchise process. Since then, to assist with this work, Devon County Council commissioned a feasibility study into a new railway station to the east of Okehampton and GWR are currently carrying out further investigations. We, along with OkeRail, will continue to monitor progress on this. Regarding Tavistock to Bere Alston, we are in the process of discussing with our local County Councillors the best option for the line, given the funding constraints and recognising the other significant Government rail asks for the peninsula.

The Rail Minister also made a commitment as part of their planning for the next Network Rail funding period to start development work for the diversion route between Castle Cary and Exeter along the West of England mainline. Specifically, the Department for Transport described prioritising a new passing loop to enable early delivery of more frequent trains between Axminster and Exeter. Improving the second strategic rail route remains a priority for Devon and I know that colleagues in Dorset are also pushing for improvements to the Heart of Wessex line.

16. QUESTION FROM COUNCILLOR G HOOK Re: Air Pollution Strategy

In May 2017 the Leader answered a question re Air Pollution Strategy by saying that " we must necessarily await the results of the General Election to see how and when the strategy will be implemented by the returning Government". Has the Government now had time to make any progress re-implementing this vital policy? If so, what has happened locally?

REPLY BY COUNCILLOR CROAD

After the general election, the Government published its UK plan for tackling roadside nitrogen dioxide (NO2) concentrations in July 2017. As well as focussing on a range of national measures to reduce NO2 emissions, the plan identified 28 local authority areas with long term NO2 exceedances. In March 2018 this was supplemented with the inclusion of a further 33 local authority areas that had been identified with shorter term NO2 exceedances. All these 61 local authorities have been directed to prepare comprehensive air quality plans to tackle their NO2 emissions within a short timeframe. This plan has been supported with targeted investment by central Government.

Devon County Council (DCC) was not one of the 61 identified local authorities. But continues to work with District partners to support their air quality action plans and reduce air pollution within the eleven declared Air Quality Management Areas (AQMA's).

In June 2016 the Council's Air Quality strategy was presented to Scrutiny and a series of actions identified. Following on from this the Scrutiny Committee resolved to set up the Air Quality and Congestion Task Group. A full report was submitted to the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 12 June 2018 and this took on board both the previous Strategy and identified some further actions.

Across DCC good progress continues to be made and in some areas it is being reported that AQMA's may be reduced or revoked. Devon County Council will continue to support further improvements to improve air quality and public health.

17. QUESTION FROM COUNCILLOR AVES Re: Secondary School Provision

What extra provision has Devon County Council put in place to supply enough secondary school places with the rising numbers of children of secondary school age?

REPLY BY COUNCILLOR MCINNES

Devon has been planning the growth of secondary numbers initially through liaison with the Devon Association of Headteachers and then individually with secondary schools on plans for expansion. Additional places have already been delivered in Newton Abbot and Exmouth and proposals on site in Okehampton. Further proposals are in development including projects in Exmouth, Cullompton and South Molton and discussions are ongoing with a number of other school across the county. A Free School has been approved in South West Exeter and officers are working with the Department for Education on bringing this forward in a timely manner alongside detailed discussions with schools in Exeter.

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

I have been asked to report as follows for Full Council on 4 October:

By Councillor Hannaford on:

- i. Care Leavers Contract & New Ministerial Direction;*
- ii. Thirty Hours Of Free Child Care Initiative - Now that we are entering the second year of this scheme can I please request an update report for full council to perhaps include over all figures, provider capacity, parental subsidies and a general SWOT analysis of where we stand in the DCC area.*
- iii. period poverty in our local schools - including feedback and representations made through school forums and an analysis about where some Local Education Authorities are piloting free universal access in their local schools?*

By Councillor Aves on:

- iv. what the Council is doing to push further for more government funding for the High Needs Block of the Designated School Grant – with more money required due to the new Free Special School not opening this September 2018 and more of our children with disabilities having to go into independent Special School provision. Why has the Free School not opened in time? (waiting times for Children's & Adolescent Mental Health Services; and*
- v. following an article recently published stating that there were 4.5 million children in the UK living in poverty, what is the level of child poverty in Devon? What have the numbers been over the last ten years and what are we doing as a council to reduce child poverty in Devon?*

By Councillor Brennan on:

- vi. A report by the Everyday Sexism Project in August 2018 stated that a rape is occurring in a UK school every term time day. It also stated that there are currently no guidelines to schools on how to deal with this issue, including to ensure that a pupil who has been assaulted does not have to continue being taught in the same class as the perpetrator of the assault. Can you please provide a report on what action Devon County Council is taking in light of this report, including what new guidelines or model policies are being put in place to schools on the issue of dealing with physical and online sexual abuse and assault between pupils?*

By Councillor Dewhirst on:

- vii. the level of incidence of loneliness in young people in general and children in care in particular in Devon and what the County Council is doing to mitigate the debilitated effects of loneliness.*

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Response:

i) **Care Leavers Contract and New Ministerial Direction**

In July 2016, the Government published a major policy document 'Keep on Caring'¹ to support young people from care to independence and the paper contained a key policy pledge to introduce a Care Leaver Covenant. There is no new Ministerial direction but the commitment and focus of the Children's Minister Nadhim Zahawi to progress the Government's plans to create a Care Leaver Covenant is certainly welcomed.

In a speech to the ADCS (Association of Directors' of Children's Services) conference in July 2018, the Minister said:

"... I am so excited to be launching the Care Leaver Covenant this autumn, and I'm standing on the shoulders of giants by bringing [former children's minister] Edward Timpson's idea to life.

...The covenant is a pledge from organisations across our society, in which they make concrete commitments to help improve outcomes for care leavers. They might offer training, job opportunities, services or anything else they can offer to help young people move from care to independence.

...It represents a partnership between the best of the public and private sectors to provide support that will champion our most vulnerable children."

"And my ask of all of you today is to do all you can to encourage your local businesses to be ambitious in what they can offer to support our future generations."

The Government has appointed a company called Spectra First² as its delivery partner for the covenant and more details are expected to be made available when the covenant is formally launched.

Once launched, the Covenant and any support that Devon County Council can provide, will be discussed at the Corporate Parenting Board.

ii) **Thirty hours Of Free Child Care Initiative**

Since September 2017 many 3 & 4 year olds of working families have been entitled to the 30 hour per week free childcare extended entitlement (1140 per year). The Early Years and Childcare Service have provided training, advice and support to settings to encourage them to offer this extended entitlement. 768 out of the 770 funded providers now do so, this represents 99.7%. The take up of the extended entitlement has increased from 39.6% in autumn 2017 to 41.8% in spring 2018, and we are awaiting up to date figures for summer but anticipate that this will have increased. The spring figures represent 68% of those who the Department for Education estimate to be eligible. We would anticipate that this take up will increase term on term as parents become more aware of this entitlement. Children's Centres, Early Years Settings and Partner Agencies are key in advising parents of this.

In addition, all providers have been encouraged and supported to register with HMRC so that they can accept Tax Free Childcare payments, making childcare more affordable for families. We have been able to increase the provider funding rate for the 3 & 4 year old entitlement from £3.98 in September 2017 to £4.08 in September 2018. This helps the sustainability of Early Years provision thereby ensuring we have sufficient provision for families to access their entitlement.

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/535899/Care-Leaver-Strategy.pdf

² <http://spectrafirst.com/identity-cms/wp-content/uploads/2018/08/Care-Leaver-Covenant-Summary.pdf>

The Childcare Sufficiency Annual Assessment Report has been completed and is available from the following links:

[Childcare Sufficiency Assessment Annual Report 17/18 -](#)

[Childcare Sufficiency Assessment Annual Summary 17/18](#)

Full details of Childcare Sufficiency is covered in this report and we have identified the 'Hot Spot' areas where there may be a need for more provision and these are kept under review. Where areas are identified the Early Years and Childcare Service works closely with Early Years Providers and Schools to encourage expansion of existing provision or development of new provision.

The take up of Early Years Funding by 2 year olds has remained high at 90.9%. This is much better than the national average and means that Devon is ranked 20th out of 152 Local Authorities. The take up of 3 & 4 year old Early Years Education places remains high at 98.5% which is well above the national average of 94%.

For further information please see Childcare Sufficiency Assessment Report and summary.

iii) Period Poverty in Local Schools

The Council does not hold data on which schools provide free sanitary products, however we are aware that many schools do have products available; often this comes via promotional supplies from companies or in some cases they were bought in by the school.

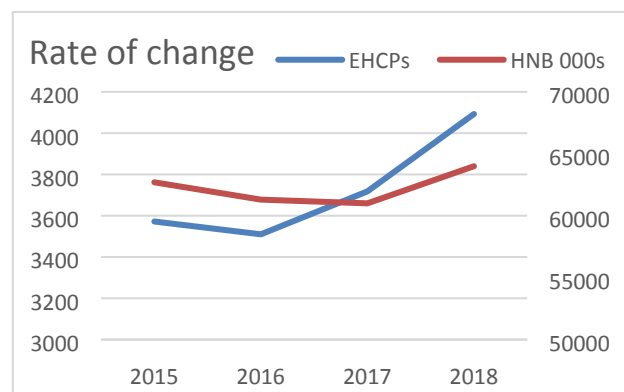
iv) Government Funding for High Needs Block

Devon continues to seek a change in the government's way of allocating funding as funding for the High Needs Block (HNB) has not kept pace with the growth in pupils requiring Education Health and Care Plans (EHCPs) as the chart below shows.

1) EHCPs growth v HNB growth

Increased numbers of children and young people with statutory plans

- growth from 3572 in 2015 to 4093 in 2018 (14.5% increase over last 4 years).
- rate of increase has been above the rate of change in HNB funding.



The HNB budget reduced between 2015 and 2017 with the 2017 budget being £61m compared to £62.7m in 2015. This was a drop of £1.7 million despite a growth of 208 pupils. In the last year, whilst the budget has increased, the number of children and young people with EHCPs has grown at a significantly faster rate.

Devon continues on a national level to be an active member of the f40 group (lowest funded 41 Local Authorities) lobbying Central Government / DfE over the introduction of a fair national funding formula, and in more recent months, highlighting the lack of funding within the High Needs Block.

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Councillor McInnes is now the Chair-elect (Chair from October) for the f40 group and this has meant there has been the opportunity to meet directly with the DfE, MPs and other groups, such as ASCL.

Gary Streeter MP has also become more involved in the f40 as Conservative Vice Chair. Schools have also been involved in campaigning through the WorthLess? Group. On a local level we continue to work with local Councillors and MPs on raising awareness of the issues surrounding funding of a rural county for schools and High Needs.

Special School Investment and the opening of new provision

Over the past 3 academic years the number of special school places provided in Devon has been increased by 12.4%. This equates to an additional 121 places up to end of 2017/18 (30 extra places will be available from Sep 2018). Devon County Council Capital Funding was used to fund these additional places. Even with our special schools agreeing to take students up to a level of 10% over capacity (the maximum allowed), this still won't meet the demand for the coming year and will therefore result in more pupils being placed in the independent sector at significant additional cost.

To mitigate this cost, Devon has, for the past 2 years, been working on a plan to open additional special school places at Charlton Lodge in Tiverton. The land and capital costs have been provided by the Council. An Expression of Interest to the Wave 1 SEN Free School Programme was unsuccessful and therefore, the intention was to open the school as a satellite to the one of our existing maintained schools, as Local Authorities can no longer open new schools. The school would have been operational by Sept 18. However, maintained schools' concerns over legislation, in relation to the provision, meant they were not able to bring forward additional places, and as such, Devon were required to follow the Free School presumption route. This route is almost identical to the National Free School Programme except that the Local Authority fund the work rather than the DfE and that the local authority run a local competition, although the final decision is still taken through the Regional Schools Commissioner Office. This is the only way Local Authorities can now guarantee the opening of a new school.

Due to the circumstance outlined above, the new school, Charlton Lodge, will not now open until Sept 2019. Had it opened in Sept 18 savings of £577,500 (FYE £990,000) could have been realised. This is because the school would have opened with 30 places at a cost of £22k versus a potential average cost of a day placement in an Independent Special School of £45k.

In addition to this, a new special school was due to open in Newton Abbot in Sept 2019. This school was being funded through the DfE free school programme, but Devon has provided a site. However, due to delays within the DfE the opening date is now planned for Sept 2020. The initial number planned to start at this school in 2019 was 30 places and this would reduce costs in that financial year by a further £577,500. Devon has raised concerns about the delays in delivering Free Schools with Central Government.

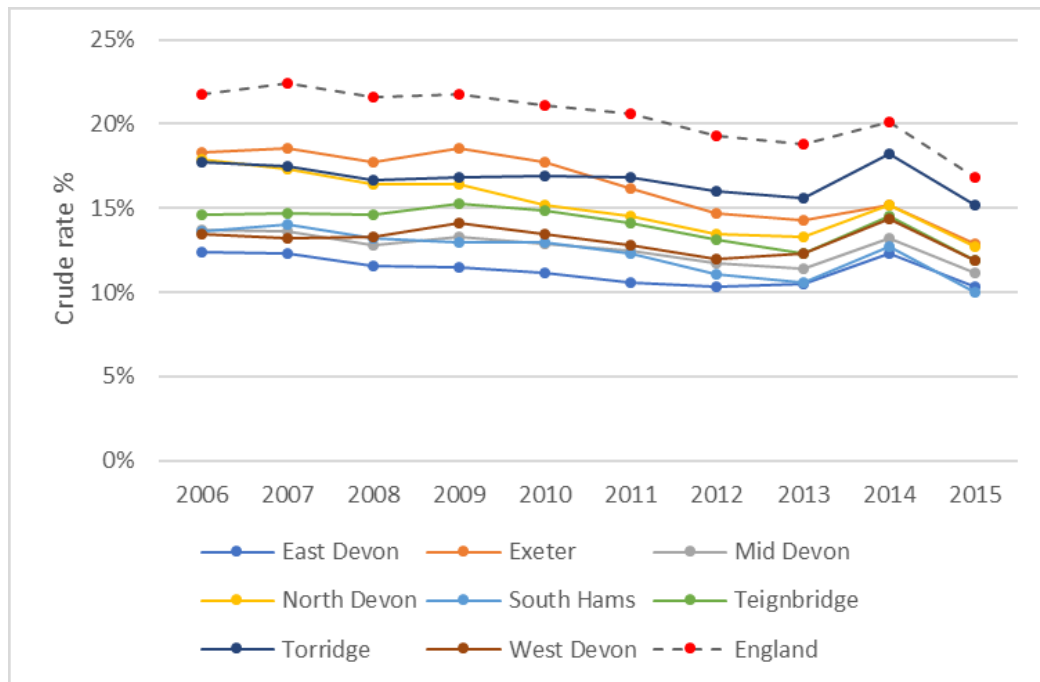
v) Child Poverty in Devon

Children in poverty are defined as those living in households where income is less than 60 per cent of median household income before housing costs.

The latest data on child poverty in Devon is available in the [Devon Joint Strategic Needs Assessment](#) (JSNA) and the [Devon Health and Wellbeing Outcomes report](#). In 2015, 14,460 children (11.9%) in Devon lived in households dependent on benefits or tax credits, compared with 13.7% in the South West, 15.2% for the local authority comparator group and 16.8% nationally. Child poverty rates decreased between 2014 and 2015.

Rates at a district level range from 10.1% in South Hams to 15.1% in Torridge. Most districts have followed a similar trajectory with decreasing levels of child poverty in children under 16 years. Rates remain significantly lower compared to the England average.

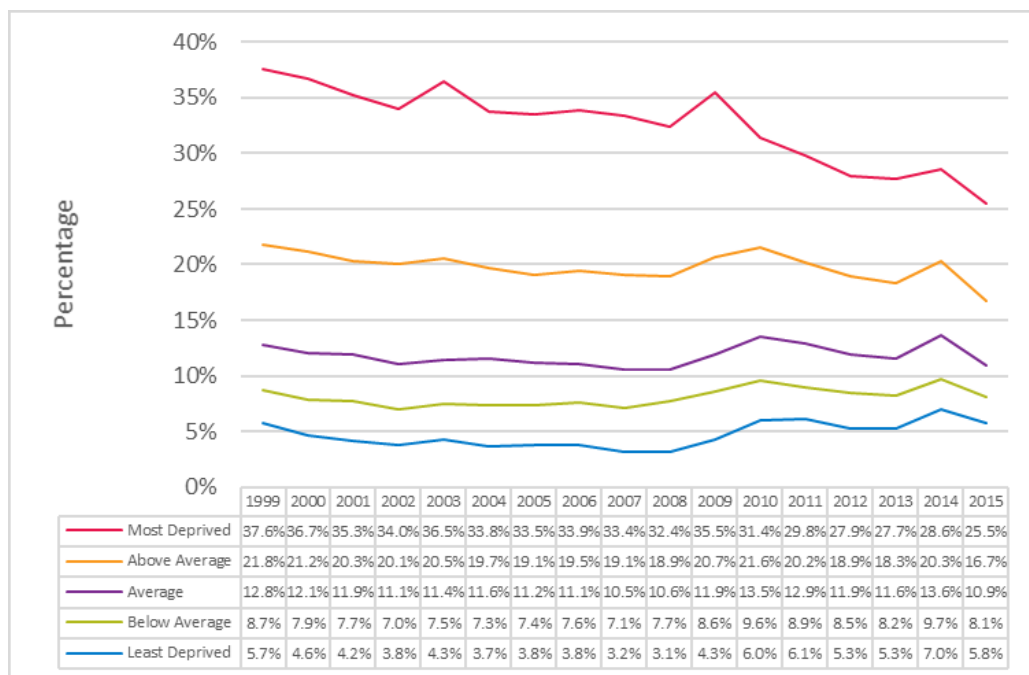
Children in low income families (all dependent children under 16)



Source: HM Revenue and Customs (Personal Tax Credits: Related Statistics - Child Poverty Statistics), 2016

Despite the narrowing gap of inequalities, rates in the most deprived areas are four times those in the least. Rates of child poverty are higher in younger families due to higher benefit claimant rates and lower incomes in persons in their 20s and 30s. Single parent households, particularly where headed by a female, are also more likely to experience economic poverty, as are children of disabled parents. There are no significant variations by ethnic group in Devon.

Percentage of children aged under 16 living in households dependent on benefits or tax credits, 1999 to 2015



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Source: HM Revenue and Customs (Personal Tax Credits: Related Statistics - Child Poverty Statistics), 2016

In September 2018 the Social Metrics Commission published an estimate of the overall prevalence of poverty in the UK. Of an estimated 14.2 million people in poverty, 4.5 million are children, 8.4 million are working age adults and 1.4 million are of pensionable age.

The Commission employed a new measure that reflects the nature and experiences of poverty, for example by taking account of the ways in which the costs of childcare and disability affect people's ability to make ends meet. The new measure indicates that poverty is concentrated among working-age families with children. It is much lower among pensioners than among other groups, and has fallen fast among pensioners over the past 15 years. Nearly half of those defined as being in poverty on this measure are living in a household containing someone with a disability.

Child Poverty and wellbeing

People with lower income tend to have poorer health. This relationship is inter-generational and bi-directional where parent's income can influence their children's health and children's health influences can influence their earning capacity later on in life.

Children from poor backgrounds lag at all stages of education. They are more likely to suffer chronic illness during childhood or to have a disability, with poorer health in childhood having a significant impact on life expectancy. They may have less favorable economic life chances and find it difficult to escape poverty in adulthood.

Welfare reform and rising housing costs are amongst the issues that may heighten the risk of poverty for some families in Devon. The current roll out of Universal Credit will affect claimants differently depending on their circumstances, but many households will receive a lower level of support compared to the current benefits and tax credits system.

What are we doing as a council to reduce child poverty in Devon?

The County Council's intelligence resources together with new metrics around poverty provide a good understanding of the extent of child poverty in Devon, the communities affected and the impact of issues such as welfare reform.

Whilst the Council has not drafted an overarching strategy to address Child Poverty there are many strands of work that address the issue. Although this is not an exhaustive list, this work includes:

- Working with schools and other settings to 'Narrow the Gap' in achievement between children from disadvantaged backgrounds and others,
- Supporting the health of children and families affected by poverty through targeted Public Health interventions,
- Supporting employment and adult skills in deprived areas of the County through targeted economic development programmes,
- Supporting young people most at risk of poverty to move into education, employment or training.
- Supporting financial inclusion through advice services, benefit awareness campaigns and promoting affordable financial products.

vi) a response to the 'Everyday Sexism Project' in relation to sexual assault in schools and relevant County Council guidelines or model policies

Children's Services are not aware of any reported rapes taking place in Devon schools. If a case was reported, this would be a criminal offence and the police would be involved. Additionally, the Local Authority Designated Officer (LADO) would be involved if the case related to a Staff member, either as the perpetrator or for failing to intervene to protect a child if they knew about this and did not report it.

The Department for Education (DfE) published new guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges' in May 2018. This gives clear advice to schools about how to deal with this issue. In addition, the new Keeping Children Safe in Education (September 2018) statutory guidance now provides additional advice to help school and college staff deal with allegations of child-on-child sexual violence and harassment. All Designated Safeguarding Leads are required to undertake initial Level 3 safeguarding training on appointment which must be refreshed at least every two years. All school staff must read KCSiE Part 1 and have regularly updated safeguarding and child protection training plus updates as required at least annually. How to support children who have been abused or sexually assaulted (in any location) will be part of this training. Following a Serious Case Review, the DCFP ran a number of half-day workshops in conjunction with the Educational Psychology Service (EPS) on the subject of Harmful Sexual Behaviour in 2017 and updated guidance (written by the EPS) was issued to all Devon schools on what is normal sexual behaviour at different ages and what is not.

Babcock LDP has covered the issue of Harmful Sexual Behaviour in its termly Forums for Designated Safeguarding Leads and in its half termly safeguarding newsletter for schools. Their annual Safeguarding Conference for schools in 2016 was on the subject of sexual abuse and was led by an internationally renowned expert on the subject of children who sexually abuse other children. They have also provided a link to the Contextual Safeguarding Network's self-assessment tool and resources to use in assessing the school's response to Harmful Sexual Behaviour. In addition, schools have been provided with information about the Brook Sexual Behaviours Traffic Light Tool and access to a One Minute Guide on 'Peer on Peer abuse' which is available on the Babcock LDP website. This provides links to a number of useful websites and resources.

Schools (and all other providers) also must have safeguarding policies in place, these follow national guidelines in terms of content and issues such as radicalisation and sexual abuse or assault, including online safety. Where abuse has taken place, the school will undertake a risk assessment (in some cases assisted by the Youth Offending Service which has staff trained in undertaking specialist risk assessments in cases such as these) and the victim and perpetrator would be taught separately, often with a change of school.

In addition, the police are working with partners including Devon County Council to provide information and resources to support practice across a wide range of professionals. This includes written advice and a conference. There is also a publicly available website which aims to support young people, families and professionals. <https://www.devon-cornwall.police.uk/advice/threat-assault-abuse/child-sexual-exploitation/> .

Looking forward the Safer Devon Partnership have recently been successful in their bid to the DfE for Trusted Relationships funding. Ysmart are leading part of this work with schools to train all teaching staff in their trusted relationship role.

The Devon Children and Families Partnership Website also provides advice and support. <https://www.devonchildrenandfamiliespartnership.org.uk/children-young-people/sexual-exploitation/>.

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vii) Loneliness in young people

Whilst there is no present way to measure the incidence of loneliness in children and young people locally, there has been a great deal of national work into the subject. Late last year Action for Children published a report specifically looking into the impact of loneliness in children, young people and families

(https://www.actionforchildren.org.uk/media/9724/action_for_children_it_starts_with_hello_report_november_2017_lowres.pdf), which gives an overview of loneliness and its impact on young people, and also highlights children, young people and families most at risk of loneliness. These are:

- Child victims of abuse and neglect
- Children in care and care leavers
- Homeless young people
- Disabled children and young people
- Young carers
- Parents of disabled children and young people
- Young parents
- Parents with depression

A recent report on Loneliness in Devon also went to the Health and Wellbeing Board on 13 September 2018, previously circulated to Members and can be viewed at:

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=166&MId=2863&Ver=4>

The Report highlighted the considerable impact of loneliness on individuals' health and wellbeing, with a greater risk of ill-health and a lower quality of life. Recent local and national studies on loneliness reported on certain characteristics associated with feeling lonely, including being female, being single or widowed, being in poor health, living in rented accommodation, having a weak sense of belonging to a neighbourhood; and with 5% of adults who reported feeling lonely, with those aged 16 to 24 feeling lonely more often when compared to older age groups.

It was agreed that, over and above the identification of loneliness as a priority in the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy, the Health and Wellbeing Board would lead a campaign around loneliness, focusing particularly on high-risk populations, and would support the development of local projects and interventions to reduce loneliness.

The minutes of the Board meeting, along with presentations around loneliness, can be viewed at:

<https://democracy.devon.gov.uk/documents/g2863/Public%20minutes%2013th-Sep-2018%2014.15%20Health%20and%20Wellbeing%20Board.pdf?T=11>

James McInnes

Cabinet Member

Children's Services and Schools

Report of the Cabinet Member Economy and Skills

1. Introduction

I have been asked to report by Members as follows:

by Councillor Hannaford *“On fishing industry in Devon – trade deals and Brexit”*, and on *‘On unspent EU Grant Money – Devon and Somerset allocation’*

and

by Councillor Atkinson *“on the Automated and Electric Vehicles Act 2018, ... which has been enacted ... and advice on what it means for DCC’*.
(<http://www.legislation.gov.uk/ukpga/2018/18/part/2/enacted>)

2. Fishing Industry in Devon

The fishing industry has long played a unique role in the economies and communities of coastal towns and villages across Devon. There are 18 commercial fishing ports across the Devon County Council area, including ports such as Exmouth, Dartmouth, Salcombe and Ilfracombe. Moreover, two of England’s three largest fishery landings - Brixham and Plymouth – are in neighbouring unitary local authority areas, but have supply chains and employment pools that extend far into the rest of the county.

The fishing industry as a whole has been in decline for some time. Landings of fish in UK ports have more than halved since the 1970s from 984,000 tonnes to 451,000 tonnes in 2014. In many places this fall has been accompanied by a broader decline in the economic performance of some of the UK, and Devon’s, coastal communities.

Analysis by the Social Market Foundation (SMF) found that in 85% of Britain’s 98 coastal local authorities, people earned below the national average for 2016, with employees in seaside communities paid about £3,600 less. This trend is particularly acute in Devon, where North Devon and Torridge made up two of the 10 local authorities in Great Britain where people earned the lowest average pay.

The broader issue of coastal communities is one on which the Council is closely engaged, including working with partners such as Torbay Council and the Local Enterprise Partnership to explore proposals that could be put to government.

The Council has not undertaken scenario analysis about the impact of specific Brexit scenarios on the fishing industry given the uncertainty around what those scenarios might be. However, in September 2018 DCC officers submitted a response to DEFRA’s consultation on the future of fisheries policy, “Sustainable Fisheries for Future Generations”, to register the key issues as we see them. The following points were made:

- The government should ensure that it places a high priority on the fishing industry in its negotiations with the European Union over the UK's future relationship with the bloc. Although small in absolute terms, the fishing industry is a major employer in coastal towns that are often poor and experience high levels of economic and social deprivation.
- Brexit presents a unique opportunity for the government to ensure that access to UK coastal waters is prioritised for UK fishermen, including by fully exploiting its status as an independent coastal state.
- The government is right to ensure the sustainability of fishing stocks to ensure that they are maintained for future generations. Fishing stocks are a key economic asset and need to be managed with care, and in co-ordination with international partners. The unsustainable fishing practices of decades ago cannot be allowed to return.
- The government is right to adopt a scientific and evidence-based approach to quota allocation, however it should seek to address the current inequalities in the distribution of fishing opportunities. Currently three large companies control two thirds of the UK's catch. The government should ensure that more of the quota is made available to smaller fishing enterprises.
- The government should also look at what it can do to support new entrants to the sector, including young people. A proportion of the quota allocation could be set aside for new entrants, for example, and the government could seek to enhance training opportunities.
- Where possible, the government should seek to retain the access that UK fishermen currently have to EU markets. Exports account for a significant proportion of certain types of catch.
- The government should also be mindful of the fact that many vessels and the seafood processing sector rely heavily on non-UK EU labour at present. Steps should be taken to ensure that the sector has access to the labour it requires.
- It will be important that UK ports and processing facilities are prepared and equipped for larger landings of fish. The government may need to consider how it can support the investment that is likely to be required in some of those facilities.
- The government should consider how it can support the development of links between fishermen and the local food and drink sector. Devon is home to some of the best quality seafood in the UK and shortening local supply chains can have significant benefits for both consumers and producers.
- The focus on the future of the fisheries sector is welcome but needs to be accompanied by efforts to improve the economic performance of coastal communities more broadly. This will require significant investment in connectivity, culture, skills & employment opportunities.

Points were also made about the importance of Devon's marine environment as a key part of our natural capital, and the need to ensure that this environment is adequately protected after Brexit.

This consultation response drew on input from groups including the Devon and Severn Inshore Fisheries and Conservation Authority, the North Devon Fishermen's Association and South Devon and Channel Shellfishermen Ltd, as well as engagement with neighbouring local authorities.

3. Unspent EU Grant Money – Devon and Somerset allocation

The Heart of the South West LEP area, which covers Devon, Somerset, Plymouth and Torbay, are covered by three EU funded programmes under the banner of Structural Investment Funds: European Regional Development Fund (ERDF); European Social Fund (ESF) and European Agricultural Fund for Rural development (EAFRD).

ERDF and ESF monies are allocated across "Categories of Region" which the European Commission recognises. For the Heart of the South West, the local authority areas of Devon, Plymouth and Torbay are classed as "Transition" whilst Somerset is "More Developed". Within ERDF and ESF, monies are further allocated across specific Priorities; monies can only be moved across Categories of Region or Priorities by the Managing Authority after agreement with the European Commission. Categories of Region and Priorities do not apply to EAFRD and funding under this stream is only eligible to be spent in the rural areas of Devon and Somerset.

The current ERDF position in the Heart of the South West is that out of a total allocation of £53.6m

- £21.6 million ERDF has been formally contracted across 17 projects; and
- 15 proposals with a total value of £28 million are in the business process.

The ERDF programme is therefore 92% committed, or in the pipeline.

The current ESF position in the Heart of the South West is that out of a current total allocation of £39.8m, £21.6m has been formally contracted across 12 projects. In addition, a further £14.6m of calls are currently live, either through open calls, or the Education and Skills Funding Agency opt-ins.

The ESF programme is therefore 90% committed, or in the pipeline.

The current EAFRD position in the Heart of the South West is that out of a total allocation of £15.5m, £2.6m has been contracted to date across 12 projects, with a further £27m worth of projects under consideration (either under assessment, appraisal or in the process of being contracted). No further calls are planned as it is likely that this programme will spend to or exceed its limit.

The EAFRD programme is therefore fully committed, inclusive of pipeline projects

In total, the HotSW allocation of EU SIF grant funding is £108.9m, of which around £7.6m remains to be allocated through calls which are not yet live.

In total approximately 93% of EU grant monies are committed and consequently only 7% remains unspent.

I would make the following observations:

- This is a good position to be in at this point in the EU funding cycle and it provides confidence that EU monies allocated to the region will be committed by December 2020.
- Devon County Council is not responsible for issuing calls, rather this is the responsibility of the respective managing authorities for each of the three funds. In the case of ERDF this is MHCLG, for ESF this is DWP and for EAFRD this is DEFRA.
- Devon County Council has supported the delivery of EU funded projects across the county by acting as the accountable body for a range of projects that support businesses and upskill the workforce. The Council has taken on the risks and cash flow obligations to ensure that as much EU funding as possible is targeted to benefit Devon.
- The processes and timescales involved in contracting EU funds are not straight forward. The due diligence that is part of the contracting and procurement processes required by the managing authority have also led to delays in some projects for these funds being awarded and this has impacted on the level of spend being allocated.
- Fluctuations in the exchange rate occur throughout the programming period. At present we anticipate that this will mean further funds will be allocated and we expect to receive information from the relevant managing authorities in due course.

4. Automated and Electric Vehicles Act 2018

<http://www.legislation.gov.uk/ukpga/2018/18/part/2/enacted>

The Automated and Electric Vehicles Act 2018 has two main Parts.

Part one relates to insurance for automated vehicles. In order to boost the development of more 'intelligent' cars, the Act makes provision so that in the event of an accident and compensation claim involving a driverless vehicle, any compensation for those affected will be paid through the vehicle owner's motor insurance. The manufacturer will not be liable.

The second part of the Act aims to help deliver the Government's aim for almost every car and van to be zero emission vehicles by 2050 and increase uptake of electric vehicles.

Currently, there is a multitude of payment methods and access restrictions preventing drivers from easily using different public charging points. A driver would need several different accounts, charge cards, phone apps etc to charge their vehicle. Some charge points are exclusive to a single vehicle manufacturer or to a specific type of charging connector, which limits the accessibility and ease of charging. Other local authorities who have been quick to adopt new technology have therefore suffered from not having a universal product. The Act will regulate this better and provide a common and simpler means of access and payment at public charge points to improve the consumer experience of electric vehicle charging. It will also make available information about charge point performance, maintenance and availability.

To date in Devon we have resisted progressing on-street electric vehicle charging for the above interoperability reasons and payment complications but also due to

issues around maintenance of infrastructure and health and safety implications relating to trailing leads on the highway. This is a similar view taken by other local authorities, with a preference instead for focusing on off-street parking provision.

In Devon, there are a number of off-street car parks where charging points exist, and we are making provision for more off-street sites. This includes the planned Park and Change site near Exeter Science Park and we are awaiting the outcome of a DELETTI EU-funded programme bid which, through working with District Councils, would see expansion of electric charging sites across the County.

The Act also includes regulations prescribing that major fuel retailers and motorway service area operators provide public electric charging points. This is expected to result in an increase in the roll out of public charging points.

In summary, Devon County Council are keeping abreast of developments in both autonomous vehicle technology and we are engaged in InnovateUK programmes aimed at trialling ultra low emission vehicle charging initiatives. We are willing to work with private sector partners to fund, test and develop innovations but we need to take a cautious approach, ensuring that what we introduce is appropriate in terms of the type of infrastructure that is installed, its accessibility and its safety in relation to the highway. The Act makes provisions which should help address these concerns and offer a more positive experience to the consumer.

Councillor Rufus Gilbert

Cabinet Member for Economy and Skills

**Report of the Cabinet Member for Community, Public Health,
Transportation and Environmental Services**

Exeter Flood Defence Scheme: Update

1. Introduction

I have been asked to report by Councillor Hannaford as follows:

“Update on ongoing work to Exeter’s flood defences with particular reference to the concerns of local residents and businesses that at some locations work seems to have stopped and there is an absence of activity to work toward the completion date. I have also received a formal request from residents to organise a public meeting with the Environment Agency to update local communities.”

This report provides an update on progress with the implementation of the Exeter Flood Defence Scheme (FDS), which is being led by the Environment Agency through its contractor, the BMM Joint Venture, in partnership with Devon County Council and Exeter City Council.

2. Background

This major flood defence scheme has been designed to improve the standard of protection along the corridor of the River Exe as it passes through Exeter to the level of a 1 in 100 year event for approximately 3,000 residential and commercial properties. It has been implemented in two main phases. Phase 1 commenced in June 2014 and was substantially complete by October 2016, based largely on the installation of flood banks and other riverside structures using permitted development rights. Phase 2 started in June 2016, following the receipt of planning consent and covers a range of more complicated works and flood structures in six zones extending from Cowley Bridge in the north to Countess Wear in the south. It was originally anticipated that the scheme would be complete by Summer 2018 but has been subject to delays and increased costs due to exceptionally difficult ground conditions in some areas, complications associated with historic features and utilities around The Quay and problems in obtaining timely agreement for works affecting Network Rail land.

3. Current Progress

The work in most zones is now well advanced or nearing completion, particularly along the right bank of the river from Exwick through to Exe Bridges. Although work is continuing elsewhere at pace, the focus of much of the present effort is in areas of lower public visibility, particularly at the Sidings Field north of St. David’s Station,

around Eagle Cottages just upstream of the Mill on the Exe and at Mill Lane and adjoining areas in Higher Wear. In contrast, significant works are continuing in two very public locations: firstly, adjoining the Samuel Jones public house at The Quay, where a new headwall structure is being created across the lowest section of the Cricklepit Leat; secondly, on the opposite side of the river, alongside the Malthouse, where the re-constructed riverside wall, steps and new path surfacing are nearing completion.

A small selection of photographs of works taking place during September 2018 is provided as Appendix 1.

4. Future Planned Activity

The ongoing programme of works for October and beyond includes activity across all six zones of the scheme. The most significant and difficult of these will be in the northern-most area, which will include some night working linked to Network Rail 'track possessions' in order to minimise disruption and ensure public safety. These works won't be complete until spring 2019, or possibly beyond. However, as these are largely on private land, they are unlikely to cause any significant concerns for the public.

Significant lengths of glazed flood defences will be installed, shortly, on the right bank at the Royal Oak public house and on the opposite side of the river adjoining Eagle Cottages and Princess Alexandra Court. New flood gates will be installed at various locations, including at Gervase Avenue and Mill Road (Higher Wear), with final remedial works to the new Station Road flood gates. The installation of further flood structures and demountable defences will be ongoing in the area around The Quay and alongside the Canal. Remedial and reinstatement work will also be undertaken at several locations, such as around Flowerpots, at Bonhay Road park and gardens and at Higher Wear. All of these works should be complete by the end of this coming winter period.

5. Communications and Community Engagement

Throughout both scheme phases, the Environment Agency and their contractor have put significant efforts into communication and engagement with community and business interests, with this necessary due to the scale and nature of the construction process, with so much of it within the heart of the City. This has included press releases and media work, face to face sessions with those most significantly affected, presentations and group meetings and ongoing promotion through social media, including a dedicated Facebook page. All interactions are closely monitored by the Project Team to deal with issues as they arise.

One issue which has caused recent public concern is the increased public access restrictions and diversions on the riverside and underpasses around Exe Bridges since the late summer. However, this is linked to gas main activities being undertaken by Wales and West, rather than the flood defence scheme works.

The complication and delay experienced by the scheme, particularly around The Quay, has been one of the most contentious issues for visitors, local residents and

businesses alike. Significant efforts have been put into minimising such conflict, especially through seasonal constraints on working. However, it will be a great relief for all when these works are completed over the coming few months.

The project team is responsive to requests for meetings, which can be directed through the contractor or the Environment Agency.

Councillor Roger Croad
Cabinet Member for Communities, Public Health, Transportation and
Environmental Services

Appendix 1 – Photographs of Progress in the Exeter Flood Scheme (September 2018)



Extensive riverside wall work on Network Rail land to the north of St. David's Station.

Work on balcony wall at Eagle Cottages, upstream of The Mill on the Exe, prior to installation of glazed flood barrier.





Deck being laid on structure across Cricklepit Leat at The Quay



Mill Road flood gates under construction at Higher Wear (with new surfacing laid to the north)

Report of the Cabinet Member for Community, Public Health, Transportation and Environmental Services

1. Introduction

Following a recent Cabinet item, I have had several queries from Members about provision of bus shelters across the County, so I thought it might be useful to bring all Members up to date with current arrangements.

2. Exeter City

In Exeter, the County and City Councils have a joint twenty-year arrangement with Clear Channel for the supply and maintenance of bus shelters. Shelters are installed and maintained at no cost to either authority in return for Clear Channel having the right to install advertising panels on some shelters.

The agreement specifies a replacement programme for existing shelters which is currently progressing. Beyond this number of shelters, the agreement requires Clear Channel to supply and maintain, also at no cost to either authority, a further two shelters a year, the location of which will be determined by the Exeter Highways & Traffic Orders Committee.

A supplement to the original agreement allows Clear Channel to install digital advertising screens at selected shelter sites and requires them to pay the two authorities a share of the additional advertising revenue arising. The County Council's share of this revenue is to be spent on further additional shelters, to be agreed by Exeter HATOC. The use of the City Council's share is yet to be confirmed (as at 26th September).

In summary, neither the County nor City Council has any budget for the installation or maintenance of bus shelters in Exeter - other than the shared revenue arising from digital advertising at certain sites, the County Council share of which is to be put back into the acquisition of additional shelters.

3. Devon Outside Exeter City

The pattern of ownership of bus shelters has evolved over many years. Most shelters are owned and maintained by the parish council. Some are district council-owned. A very small number, mostly originating as part of a highway scheme, are owned by the County Council.

With permission from the County Council as highway authority, any parish or district council may acquire a new shelter on the understanding that the parish or district will take on all future maintenance and liabilities. Financial assistance may be available from the County Council towards acquisition and installation, but not maintenance.

The market for advertising on shelters in rural Devon is limited - hence the County Council assisting with acquisition. However, throughout the County outside Exeter, the County Council has an arrangement with a company called Fernbank. Fernbank have taken on a number of existing shelters in some towns and on key routes and have installed advertising panels at some sites, thereby relieving parishes and districts of the maintenance responsibility. In some cases, shelters have been replaced or refurbished.

In summary, the County Council has a specified budget to assist parishes or districts with the installation of new bus shelters on condition that the parish or district takes on maintenance. Alternatively, Fernbank may be willing to take on the shelter, or even install a new one, and maintain it thereafter, with the possible inclusion of an advertising panel.

Initial enquiries about possible shelters are best addressed to Mark Phillips in the Transport Co-ordination Service who will liaise with Highways as necessary or facilitate discussions with Clear Channel or Fernbank as appropriate.

Councillor Roger Croad
Cabinet Member for Communities, Public Health, Transportation and
Environmental Services