

## CABINET

12 June 2019

Present:-

Councillors J Hart (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons

Members attending in accordance with Standing Orders 8 and 25

Councillors A Connett, A Dewhirst, R Hannaford, J Hodgson, S Randall-Johnson C Whitton and C Wright

\* 354

**Minutes**

**RESOLVED** that the minutes of the meeting held on 15 May 2019 be signed as a correct record.

\* 355

**Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 356

**Announcements**

(Councillors Connett, Hannaford and Hodgson attended in accordance with Standing Order 25(2) and spoke to this item).

The Chair firstly congratulated Jennie Stephens (Chief Officer for Adult Care and Health) for becoming a Member of the Order of the British Empire (MBE) in the Queens New Year's Honours List for her Services to Social Care.

Second, the Chair updated the Cabinet on Devon's Climate Declaration, a copy of which was attached to the agenda.

This was a ten-point plan, prepared by a consortium of public, private and voluntary organisations collaborating through a Devon Climate Emergency Response Group, setting out an ambition to tackle climate change that covered all of Devon, including those who lived, worked in and visited the County, and those businesses who were based or operated in Devon.

The declaration highlighted the significant implications of climate change for communities, affecting the environment, infrastructure, economy and health & wellbeing and impact on future generations. There was a commitment to review plans to reduce the Council's carbon emissions and to publicly report carbon emissions annually as well as implementing a plan to facilitate the reduction of Devon's production and consumption emissions to meet IPCC recommendations (at the latest) and reporting on progress of delivery.

The transformational change required was also outlined in terms of potential solutions (to name but a few) of more renewable, decentralised and smart energy systems, energy-efficiency measures in existing buildings, travelling less, use less and re-use more, divesting from fossil fuels, reducing food waste, agricultural practices, encouraging carbon storage and calling on Government to prioritise decarbonisation and adaptation within decision making.

The declaration also challenged every organisation, business, community and individual to do the same.

The Cabinet Member for Community, Public Health, Transportation and Environmental Services highlighted that the County Council had made budget provision of £250,000 and the University of Exeter had contributed a further £150,000 to the pot.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Croad and

**RESOLVED** that Cabinet fully support and endorse the declaration, circulated with the agenda, and that Devon County Council becomes a signatory to the declaration.

\* 357

**Petitions**

There was no petition received from a Member of the Public or the Council.

\* 358

**Question(s) from Members of the Council**

There was no question from a Member of the Council.

\* 359

**Devon Youth Service: Specification and Approval to Tender**

(Councillors Connett, Dewhirst, Hannaford, Hodgson and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity on the Devon Youth Service invitation to tender and authority to award a contract, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report highlighted that the Council's contract with DYS Space Ltd for youth services was due to expire on 31 January 2020, after a three-year period. The current contract had been awarded following a tender process restricted to mutuals. Representations were made at a 'market warming' event with potential bidders on 15th May 2019 to extend the current contract by two months in order to allow more time for smaller providers to explore banding together in order to bid. DYS Space was willing to continue to provide the service until 31 March 2020 so there was a fixed deadline of 1 April 2020 to conclude the retender.

Currently, DYS Space had nine buildings in its portfolio with eight Youth and Community Centres (Barnstaple, Bideford, Exeter, Exmouth, Newton Abbot, Okehampton, Tiverton, and Totnes) which were bases for open access youth work as well as being used as a base for targeted and outreach youth work. There was also a building in Dawlish to support its work with young people in mainstream schools who were at risk of permanent exclusion.

The Report outlined that young people faced increasingly complex challenges (for example, county lines, knife crime and sexual exploitation) but also that Government was considering new requirements for Local Authorities in terms of an offer that would contain both a universal and targeted element.

The Report proposed there was not fundamental change to the current model of youth service provision and listed a number of key components that any new provision should contain, highlighted in the final recommendation below. The successful provider(s) would be required to continue to operate out of the existing eight youth hubs (although this would be continuously reviewed against the needs of young people) and the Dawlish facility continued to be available. It was also expected there would be a (temporary) presence in Cranbook and Sherford until a permanent facility could be built and handed over to town councils.

The Report outlined the procurement timeline, highlighting the timetable was tight and did not allow for a 'root and branch' review of youth services. It was proposed this commenced when a provider was confirmed to inform the future development of the service. The Children's

Scrutiny Committee had indicated its willingness to work with commissioners on such a review.

A budget of £1.788m had been identified to support the tender and current intentions were to award the contract on a rising fixed-fee<sup>1</sup>. It was also recommended the Council awarded a 5-year contract (on a 3 + 2 basis).

The Report and proposal had been informed by a range of officers and service areas, from Communities, Public Health and Economy Teams, as well as Children's Services, Finance, Legal, Estates and Procurement colleagues as well as external stakeholders from the Health and Criminal Justice sectors. In addition, a workshop with Members of the Children's Scrutiny Committee had been held in May 2019, the key points of that discussion being outlined at Appendix A. The Council's Participation Team was facilitating focus group sessions with young people in each of the four localities plus engagement with Devon's Members of Youth Parliament to ensure their views were included in the draft specification.

The Cabinet noted that a vibrant youth service made a positive contribution to prevention (through the universal offer) and early intervention (through outreach and targeted work). The approach suggested was consistent with the principles underpinning the development of the new Children and Young People's Plan.

The Chief Officer's Report contained an Impact Assessment which had been circulated for the attention of Members at this meeting, in order that as part of its determination of the next steps in the process the Cabinet might have full regard to the responsibilities placed upon it to exercise its Public Sector Equality Duty, under s149 of the Equality Act 2010.

The assessment highlighted there was a potential for impact on both youth service staff and service users due to a potential change in provider, for example the fear of losing a youth worker or a change in 'culture' around delivery. However, the expectation, should there be a change in provider, was a detailed transition plan during the mobilisation and implementation phase.

A key principle of the specification was that any future provider would have to work with a wide range of young people and have a commitment to understand both their needs and the contemporary issues affecting young people and furthermore demonstrate their ability to respond to any changes in local need. The assessment reported there were no unmanageable impacts that had been identified.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, risk management, equality and legal considerations and Public Health impact) set out in the Chief Officer's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Croad, **SECONDED** by Councillor Hart and

## **RESOLVED**

(a) that the Chief Officer for Communities, Public Health, Environment and Prosperity, in consultation with the Cabinet Member for Community, Public Health, Transportation and Environmental Services be given delegated authority to launch an invitation to tender in accordance with recommendation (b) below for youth services in Devon from 1st April 2020 and subsequently to award a contract following a competitive bidding process; and

(b) that Cabinet agrees the invitation to tender reflects the requirements, budget and term as outlined below;

### 1. Requirements

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<sup>1</sup> A rising fixed fee for the first three years, and the final 2 years to be increased by RPI

- 1.1 A universal offer based on open access via 8 youth hubs;
  - 1.2 Outreach and targeted support for more vulnerable young people;
  - 1.3 Advice, guidance and support to voluntary and community groups across the county;
  - 1.4 Focussed support to young people at risk of permanent exclusion from mainstream education; and
  - 1.5 Duke of Edinburgh Award Scheme (if eligibility criteria met)
2. The budget for the core service will be £1.788 million in 2020/21.
  3. A term of 5 years (3+2)

[NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at: <http://new.devon.gov.uk/impact/>].

### 360 **Notice(s) of Motion**

#### **(a) Free Personal Care**

(Councillors Connett, Dewhirst, Hannaford, Hodgson, Whitton and Wright attended in accordance with 25(2) and spoke to this item).

*Devon County Council notes that over a million older people in England are struggling with unmet care needs and believes that in light of an ageing population we need bold changes to deliver a long term funding solution for social care.*

*Devon County Council believes that it is fundamentally unfair that to access basic care many older people face catastrophic costs that can run into hundreds of thousands of pounds, wipe out a lifetime of savings, and force families to sell their homes.*

*Devon County Council also believes that England's care system needs major reform to provide a long-term sustainable funding solution and to make care free at the point of use.*

*Devon County Council therefore supports Independent Age's call for the introduction of free personal care for all older people in England, alongside a new social care contribution to fully fund the policy on a sustainable basis.*

*Devon County Council calls on the Government to take the necessary steps to implement this policy as swiftly as possible to end the care crisis and properly support older people in Devon.*

*Devon County Council also calls on our local MP(s) to support the campaign for free personal care, and to speak up in favour of the policy in the House of Commons and through their wider engagements.*

Members considered the Officer's factual briefing note on the matter (CSO/19/14) which referred to the types of non-chargeable short-term support provided by the Council, provision of aids and minor housing adaptations, the aims of the Promoting Independence Policy, the rating of the Care Quality Commission for community care services and domiciliary care agencies across Devon. It also highlighted that the future of adult social care was an on-going national issue and that the anticipated Green Paper was expected to set out Government proposals for how adult social care would be funded and delivered, including ensuring a sufficient workforce. The Council would respond to any proposals and ensure that Members across the Council were engaged and had opportunities to contribute.

The Cabinet considered the recommendation now before them and any other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact):

it was **MOVED** by Councillor Hart, **SECONDED** by Councillor Leadbetter, and

**RESOLVED**

(a) that the Council urges the Government to publish the Adult Social Care Green Paper without further delay and, furthermore, responds to the proposals in that Green Paper when it is published and ensures that Members across the Council are engaged and can contribute to such an important issue; and

(b) that the Cabinet Member for Adult Social Care and Health Services, continue his dialogue with Devon MPs to lobby central Government for the health and care arrangements, including the workforce requirements, that are in the best interests of all adults in Devon regardless of their age or specific health and care needs.

**(b) 10 Point Green Action Plan**

(Councillor Wright attended in accordance with Standing Order 8 and Councillors Dewhirst, Hannaford and Hodgson attended in accordance with 25(2) and spoke to this item).

*This council notes its resolution on declaring a climate emergency in Devon, in February.*

*This council notes also that officers launched the policy on wildflower verges earlier this month. Huge congratulations to the officers who helped bring this about.*

*The government has now declared a state of climate emergency across the UK, following the actions of Extinction Rebellion.*

*Climate change and other human activity is now causing species to decline at a rate unprecedented in human history, with three-quarters of land-based environments and two-thirds of the marine environment significantly altered.*

*Devon County Council, with its positive record on the environment is well placed to work with others to help mitigate the catastrophe coming our way.*

*Therefore, this council agrees to:*

- 1. Call on the government to offer all pollinators full legal protection from harm*
- 2. Write to all Devon outlets stocking bee harming pesticides, and urge them to permanently cancel their order with the suppliers*
- 3. Take action to phase out all glyphosate pesticides used in council weed spraying or any other council related activity, by December 2019 (there may be exceptional circumstances such as dealing with specific non native species, such as Japanese knotweed)*
- 4. Support Devon County Council tenant farmers in phasing out the use of inorganic fertilisers (such as nitrogen) by December 2023*
- 5. Support Devon County Council tenant farmers in setting aside 10 per cent of their land for wildlife and/or wildflower mixes for pollinators*

6. *Work with community groups and non-government organisations such as Devon Wildlife Trust and the Woodland Trust to support Devon County Council tenant farmers to set aside five per cent of their land for tree planting*
7. *Work with community groups and non-government organisations such as Devon Wildlife Trust and the Woodland Trust on supporting town and parish councils, schools and community groups to set aside land for tree planting*
8. *Develop a policy on soil health good practice, with an emphasis on allowing land to recover and phasing out damaging chemicals, which are ultimately sterilising the land. This would include setting appropriate and reasonable targets for Devon County Council tenant farmers*
9. *Work with South West Water on a campaign to save water across the county, with an emphasis on education about future water scarcity. Specifically target town and parish councils, community groups and schools to raise awareness of the importance of good water practice*
10. *Support Devon Wildlife Trust's campaign by calling on the Environment Secretary to allocate a further eight Marine Conservation Zones to Devon's waters. Details can be found on the DWT website - <https://www.devonwildlifetrust.org/take-action/marine-conservation-zones>*

Members considered the Officer's factual briefing note on the matter (CSO/19/14) which referred to the 'Special Report on Global Warming' published by the Intergovernmental Panel on Climate Change, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services and its first-ever assessment, which had indicated that nature was declining globally at unprecedented rates, this Authority's approach to minimising impacts upon the environment, the role of the Environmental Performance Board and relevant Strategy and Action Plan documents on energy; renewable energy; waste; plastics; water; sustainable procurement; environmental risk; and countryside and heritage interests, all available at <https://www.devon.gov.uk/environment/environmental-policy>. The briefing note also included an appendix 1 which listed each of the proposed actions in the 10 point action plan and provided a summary assessment of constraints and opportunities associated with each.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact):

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Croad, and

#### **RESOLVED**

(a) that the Council endorse the principle of further action by Devon County Council to address environmental issues in line with the global concerns highlighted through relevant intergovernmental panels; and

(b) mandates the Environmental Performance Board to consider how relevant issues raised by the 10 Point Green Action Plan might be addressed through relevant changes or additions to its suite of action plans, in the light of the opportunities and constraints highlighted by Appendix 1 of Report (CSO/19/14).

### **(c) Community Waste Reduction and Recycling Organisations**

(Councillor Hodgson attended in accordance with Standing Order 8 and Councillors Connett and Hannaford attended in accordance with 25(2) and spoke to this item).

*Full Council recognises the valuable and considerable contribution community groups and associated enterprises make towards waste reduction and recycling. To this end it commits to continued financial support where a waste project has proved successful in supporting the delivery of the Council's waste services in line with its policies and priorities. Full Council further recognises that continued financial support can be vital to the viability of such organisations*

*The recent public consultation on the Reuse Credit Scheme (RCS) demonstrated the success and popularity of the three main community organisations who deliver these services and divert an extensive tonnage of waste from landfill for less than £50,000 p.a. These organisations have made a clear case that DCC financial support for their services is essential to their continued viability.*

*(when DCC ceased its funding of the large number of community composting groups, and reduced the landfill tax support it paid them for diverting waste - approximately 60 groups at the time- over half of them ceased to operate within 12 months; resulting in a major reduction in the volume of biodegradable waste being diverted from landfill)*

Members considered the Officer's factual briefing note on the matter (CSO/19/14) which referred to the Reuse Credit Scheme (RCS) and the budget contribution of the Devon Authorities Strategic Waste Committee (DASWC), the RCS scheme criteria and that the Committee, since 1996, had supported the RCS to the value of £770,000 with 14,000 tonnes of furniture and other items diverted from disposal. The scheme would shortly be reviewed (a consultation was held for several weeks in Spring this year) with the DASWC considering the 880 responses and petition with approximately 1100 signatures at its meeting later this year when the budget would be set for 2020/21. The briefing note highlighted the current position with community composting, including data on the tonnage composted.

The Cabinet considered the recommendation now before them and the actions now proposed and already undertaken and any other relevant factors (e.g. public health, financial, environmental, risk management and equality and legal considerations and Public Health impact):

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Davis, and

**RESOLVED** that the Council take no further action at this time, but that the Cabinet Member for Infrastructure Development and Waste considers the Notice of Motion alongside the results of the consultation and the priorities of Devon Authorities Strategic Waste Committee, when the matter is considered by that Committee.

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#### **Question(s) from Members of the Public**

In accordance with the Council's Public Participation Rules, the Leader and relevant Cabinet Members responded to 13 questions from members of the public on the climate crisis and the transport budget for active transport, pension fund investments and Unison's 'Divest from Carbon Campaign', procurement policies and supporting the local economy, the Climate Emergency Response Group (DCERG) and working with RegenSW on a Renewable Energy Strategy, the Council's work with schools on energy-efficient buildings and on-site renewable energy generation, public transport provision and accessibility and affordability to reduce emissions, assurances of the safety of 5G technology and risk assessments, health effects of the introduction of 5G technology, duty of care regarding 5G technology, the position with the roll-out of 5G in Devon, environmental and risk analysis assessments relating to 5G inception, work with providers of public transport to promote the use of renewable energy generation and the County Council's position on 5G roll-out in Devon.

A copy of the questions would be sent to those who were not present at the meeting.

The Leader and Cabinet Members also responded orally to supplementary questions arising from the above.

*[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://www.devon.gov.uk/dcc/committee/minutes.html> and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]*

\* **362**      **Minutes**

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

**RESOLVED** that the Minutes of the following and any recommendations to Cabinet therein be approved:

Farms Estate Committee - 20 May 2019

\* **363**      **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members and property transactions approved by NPS under the urgency provisions or delegated powers were available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; a summary of decisions taken since the last meeting had been published with the Agenda for this meeting. Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>.

\* **364**      **Forward Plan**

In accordance with the Council's Constitution, the Cabinet reviewed the Forward Plan and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (at <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0>).

\* **365**      **Exclusion of the Press and Public**

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Davis, and

**RESOLVED** that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of a third party and of the County Council and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

\* **366**      **Skypark Development Partnership, Clyst Honiton**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

(Councillors Connett, Hannaford, Randall-Johnson and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Economy, Enterprise and Skills (EES/19/3) on the Skypark Development Partnership, Clyst Honiton, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Cabinet Member for Economy and Skills highlighted the proposals would ensure the economic development objectives for Skypark continued to be delivered and the Leader endeavoured to keep Local Members informed.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the Head of Service's Report and/or referred to above having been considered:

It was **MOVED** by Councillor Gilbert, **SECONDED** by Councillor Hart, and

**RESOLVED** that the proposals in relation to both the future and economic development of Skypark, as outlined in the Report, be approved.

**NOTES:**

1. *These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*
2. *Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution.*
3. *The Minutes of the Cabinet are published on the County Council's website.*
4. *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>*

**\*DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.30 am and finished at 12.27 pm





## QUESTIONS FROM MEMBERS OF THE PUBLIC Wednesday 12 June 2019

### 1. QUESTION FROM MR HUGHES (IN ATTENDANCE) Re: Climate Change and Transport Budget

It is to be welcomed that the Council have recognised a Climate Crisis and Councillors will be aware that transport is the largest emitting sector. This is an area where we can make considerable gains very quickly: 8 months ago the UN said we need to start making radical change within 2 years to address this crisis. Clearly the DCC transport budget needs revision to reflect these realities: currently a mere 7% is allocated for cycling.

How will the next budget see DCC hugely prioritise funding for active transport within the county?

#### REPLY BY COUNCILLOR HUGHES

The Council has extensive background in delivering active travel projects, schemes such as the Tarka Trail and Exe Estuary Trail are exemplar examples. Our programme this year has a number of schemes ready for delivery and others in preparation, this amounts to approximately 17% of the transport capital budget.

Next year's budget has not been prepared but your observations on active travel will be taken into account.

### 2. QUESTION FROM MR VINT (IN ATTENDANCE) Re: Pension Fund Investments and Unison's Divest from Carbon Campaign

In light of the Climate Emergency, UNISON's 'Divest from Carbon' campaign and the 03/06/2019 statement by the Pensions Minister, Guy Opperman, in support of moving Pension Fund investments out of fossil fuel industries and into renewable energy, will the Council now consult UNISON and staff and review this option?

#### *Background information:*

UNISON's 'Divest from Carbon' campaign <https://www.unison.org.uk/content/uploads/2018/01/Divest-from-carbon-campaign.pdf> 03/06/2019 statement by the Pensions Minister, Guy Opperman:  
<https://www.theguardian.com/money/2019/jun/03/pensions-must-do-right-thing-on-climate-change-says-minister>  
<https://www.cityam.com/invest-green-energy-urges-minister-financial-risks-climate/>  
<https://uk.reuters.com/article/uk-britain-climate-pensions/uk-pensions-minister-warns-of-financial-risks-from-climate-change-idUKKCN1T416/>

#### REPLY BY COUNCILLOR HART

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Any issues relating to the Pension Fund are a matter for the Investment and Pension Fund Committee and do not fall within the remit of the Cabinet.

However, I will arrange for the Chair of the Investment and Pension Fund Committee to send a written response to your question.

### 3. QUESTION FROM MRS COOMBS (NOT IN ATTENDANCE)

#### Re: Procurement Policy and Supporting the Local Economy

Will the Council draw up procurement policies to prioritise buying locally, support local businesses and the local economy, and avoid the carbon footprint resulting from long-distance transportation of goods?

#### REPLY BY COUNCILLOR PARSONS

The Devon County Council [Environmental Sustainable Procurement policy 2016-2020](#) was adopted by Cabinet on 1st January 2017; this policy details key aims, objectives and commitments around sustainability for all contracting activity. The policy draws out the advantages in buying locally; such as supply chain resilience, continuity of supply, minimising environmental impacts and making a positive contribution to employment and local communities. In addition to the policy, the Council support and encourage local business and the voluntary sector in bidding for County Council contracts. An example of this is the annual Going Local event (meet the local Council buyer) which is organised with other Councils to engage and encourage local organisations to bid for Council contracts.

### 4. QUESTION FROM MR SCOTT (NOT IN ATTENDANCE)

#### Re: RegenSW and Partnership Working

How will the Devon Climate Emergency Response Group (DCERG) work with RegenSW to develop and deliver a Renewable Energy Strategy for Devon?

#### REPLY BY COUNCILLOR CROAD

The opportunities to decarbonise Devon's energy needs, including the use of renewable energy, will be reviewed as part of the development of the Devon Carbon Plan. Regen is one of a number of organisations with expertise in sustainable energy. Devon County Council already commissions an annual renewable energy progress report from Regen and has worked effectively with them to establish Devon as a leading County in community-owned renewable energy. Further input by Regen to the work of the Devon Climate Emergency Response Group will, no doubt, be welcome.

### 5. QUESTION FROM MS VAN KOTEN (NOT IN ATTENDANCE)

#### Re: Work with Schools for Energy Efficient School Buildings

How will DCC work with schools in Devon to make school buildings energy-efficient and to promote the use of on-site renewable energy generation to power schools?

#### REPLY BY COUNCILLOR HART

Devon County Council work in partnership with the South West Energy Partnership (SWEP) to engage with schools and promote energy efficiency across the school estate including working on "invest to save" solutions and accessing appropriate finance to support this approach. This partnership engages with both the maintained and academy school sectors (which makes up approximately 45% of the school estate in Devon but is outside of County Council control).

SWEP is EU funded initiative led by Bristol City Council in partnership with Devon County Council and Plymouth City Council.

In addition, through the County Councils own Capital Maintenance Programme for maintained schools (where we target the highest priority condition items across the school estate) the County Council undertake to review options for “greener” energy solutions where these are appropriate and they offer demonstrably more efficient, reliable and economic solutions. We also through our maintenance programme strive to upgrade existing building fabric (roof insulation, windows etc) of our schools to the latest Building Regulation Part L requirements.

As an example, through the schools Capital Maintenance Programme we have recently completed projects at Denbury and Kenn Primary Schools (both all electric schools) with the use of on-site energy generation and on-site energy storage to significantly increase their energy efficiency and reduce their reliance on “grid” energy supply. The recently completed replacement Primary School at Loddiswell has also been designed to a zero carbon in use standard, meaning that the building has been modelled that on-site energy generation is equal to the predicted on-site energy requirements.

**6. QUESTION FROM MRS PHILLIPS (IN ATTENDANCE)**  
**Re: Public Transport Provision**

How will Devon County Council improve public transport provision to make it accessible and affordable for all it's residents in order to reduce use of private cars and thereby reduce emissions?

**REPLY BY COUNCILLOR CROAD**

Devon County Council continues to maintain support for public transport in contrast to many other parts of the country. In 2019/20 it is financially supporting the public and community transport network to the tune of £5.8 million. This supports around 20% of the total bus network in the County. This is on top of the £9.3million budget fulfilling our statutory duty to provide the National Bus Pass.

Wherever possible our aim has been to maintaining the existing network and make use of available developer funding and other external sources to improve services around new developments, such as those East of Exeter. We aim thereby to encourage the public transport habit early on with Cranbrook being an example of this. Their bus service was recently increased to every 20 minutes through the day and this complements the train service from the local station. We work closely with the rail sector with more improvements to train services in Devon planned towards the end of this year.

Making public transport accessible and affordable for all residents of Devon implies a comprehensive enhancement of the network which is possible only in incremental stages, each of which requires substantial and long-term, if not permanent increased revenue funding. We have a finite budget to put towards this, but we continue to work with relevant stakeholders and our transport providers.

Public transport is more environment-friendly than the private car where passenger load factors are good. Through experience we are conscious that in spite of strong lobbying, people do not always take up the opportunity of using public transport where it is provided. There is no starker contrast than a string of private cars, each carrying one person, following a Euro 6 clean-engined bus. Public transport has difficulty in offering exactly the same door-to-door convenience as the car, but we can all make a positive contribution by using our local public transport services wherever possible and thereby helping make them cost-effective and more environment-friendly.

Employers can help by passing on sustainable travel advice to their staff. For large employers, our biggest bus company is willing to discuss discount fare schemes. Similarly, schools can encourage families to choose green travel options for their pupils.

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Information about what services are available is important and, in partnership with Traveline, will very soon be in a position via the internet to offer instant real-time travel information from any bus stop in the County. With 78% of adults now using smartphones, we aim to ensure that everyone who wishes to consider the public transport option can do so easily. At the same time, we are maintaining our service of printed timetables for those who prefer them.

As for affordability there are currently a range of tickets available which offer lower costs than many people realise. Research suggests that value for money on a reliable and reasonably frequent service throughout the day is more important to people than simply a lower fare. Passenger satisfaction rates on Devon services are among the highest in the country. Stagecoach offer contactless payment on all of their buses. Thanks to County Council assistance, other bus companies are following suit and during the current year it should become possible on all daily bus services in the County to pay by contactless card.

## 7. QUESTION FROM NEMO JONES (NOT IN ATTENDANCE)

### Re: 5G Technology

What assurances can the councillors give on the safety of 5G technology given that there are no studies proving its safety? Please provide evidence of the risk assessments carried out by DCC, the name of the risk assessor for environmental safety and, if different, the name of the person who is taking full responsibility for signing off on the 5G rollout. What public consultation is planned regarding the public's thoughts and feelings about being subjected to an absolutely massive increase in untested EMF activity? Are you aware that Brussels, Rome and other towns and areas have called a halt to the rollout based on the precautionary principal and the weight of evidence with many scientists around the world voicing the most serious concerns over this issue?

### REPLY BY COUNCILLOR GILBERT

The County Council draws on the advice and guidance provided by Public Health England (PHE) regarding the health and safety of mobile technologies including 5G. PHE continues to monitor the health-related evidence applicable to radio waves, including in relation to base stations, and is committed to updating its advice as required. Their advice can be found by following this link:

<https://www.gov.uk/government/publications/mobile-phone-base-stations-radio-waves-and-health/mobile-phone-base-stations-radio-waves-and-health>

The County Council is also in contact with PHE following the concerns raised with us and we are seeking further advice from PHE.

Public Health England (PHE) advises the Government on appropriate public health standards for protection from exposure to radiofrequency electromagnetic fields (EMFs), or radio waves. PHE's main advice is that the guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) should be adopted and there is no convincing evidence that exposures below the ICNIRP guideline levels cause adverse health effects. ICNIRP is formally recognised as an official collaborating non-governmental organisation by the World Health Organization (WHO) and the International Labour Organization. ICNIRP is also consulted by the European Commission. Advice from PHE includes comprehensive scientific review reports and statements on topics.

In terms of future deployments of mobile infrastructure and in particular 5G mobile it is our understanding that there are effectively two forms of 5G. The first will utilise sub 10GHz spectrum (operating in very similar frequencies to current 3G and 4G services). The second will utilise 24GHz -300GHz spectrum, the so-called millimetre wave frequencies associated with more revolutionary 5G aspects (such as 1-10Gbps+ speeds and low latency connections). All current UK 5G plans from mobile network operators are solely related to sub 10GHz spectrum technologies as this is currently the only spectrum that Ofcom has licenced. This spectrum has very similar characteristics to current mobile communications technologies that have been in use for 30 years, and some of this spectrum has also been previously granted for use by radio and TV broadcasts. When it comes to the higher frequency (millimetre wave)

spectrum, not only has Ofcom yet to set a date for auctioning this spectrum, the practical reality of using such spectrum's remains to be proven.

Ofcom is still consulting on the potential uses and auctions of millimetre wave spectrum and is expected to announce their plans for the first limited range of 26GHz spectrum later this year. However, it does not appear that Ofcom expects such spectrum to be used in traditional ways associated with mobile technologies.

The County Council is not involved with mobile infrastructure planning applications, this is a District Council responsibility as part of the planning authority remit. Where street furniture is concerned, we are not aware of any Council assets that are currently hosting mobile network operators 5G technologies, but we would review any such request from mobile network operators in accordance with Government guidance and PHE guidance.

As a County Council we have no current plans to make use of 5G in our ICT roadmap to 2020.

**8. QUESTION FROM TONI TURNER (NOT IN ATTENDANCE)  
Re: Health Effects of 5G Technology**

What evidence has DCC commissioned into the health effects of the introduction of 5G technology?

**REPLY BY COUNCILLOR GILBERT**

As stated in the response to the previous question the County Council takes advice and guidance on this matter from Public Health England. Following the concerns raised with us, we have contacted PHE seeking further advice.

**9. QUESTION FROM IZABELLA FINCH (IN ATTENDANCE)  
Re: Duty of Care – 5G**

Regarding the 99,192 signatories of the 5G Space Appeal (<http://www.5gspaceappeal.org>) which states "RF radiation has been proven harmful for humans and the environment. The deployment of 5G constitutes an experiment on humanity and the environment that is defined as a crime under international law" and the 235 scientists and medical doctors of the EU 5G Appeal (<http://www.5gappeal.eu>) stating that the effects of RF-EMF exposure includes "increased cancer risk, cellular stress, increase in harmful free radicals genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders and negative impacts on general well-being in humans." Are the DCC willing to acknowledge and take responsibility for its duty of care requirements to the community of Devonshire and in so doing immediately remove planned and installed 5g infrastructure?

**REPLY BY COUNCILLOR GILBERT**

The County Council is not the body responsible for planning for mobile infrastructure, this is the responsibility of District Councils. As stated already where street furniture is concerned, we are not aware of any Council assets that are currently hosting mobile network operators 5G technologies but we would review any such request from mobile network operators in accordance with Government guidance and PHE guidance.

**10. QUESTION FROM ISABELLA LAZLO (NOT IN ATTENDANCE)  
Re: Roll Out of 5G in Devon**

# Minute Item 361

In the context of the Governments current roll out of fifth generation wireless technology (5G), and the relaxation of planning laws to support swift implementation of infrastructure, is the honourable Council and all its members aware of the recent testimony by Dr Sharon Goldberg against the expansion of 5G at the Cell tower legislation hearing in Michigan State where she stated;

'Wireless radiation has biological effects. Period. This is no longer a subject for debate when you look at PubMed and the peer-review literature. These effects are seen in all life forms; plants, animals, insects, microbes. In humans, we have clear evidence of cancer now: there is no question. We have evidence of DNA damage, cardiomyopathy, which is the precursor of congestive heart failure, neuropsychiatric effects...5G is an untested application of a technology that we know is harmful; we know it from the science. In academics, this is called human subjects research' (<https://www.youtube.com/watch?v=CK0AliMe-KA>)

I ask that you demonstrate clearly to me how each of you are taking your role as community servants seriously in this instance and are doing all in your power to both research and halt any roll out of 5G in Devon. Failure to do so will cause the necessary delivery of personal Notices of Liability to all members of the council, holding you directly responsible for any harm caused through any roll out in Devon.

## **REPLY BY COUNCILLOR GILBERT**

The County Council takes advice on the health and safety impacts from mobile infrastructure from Public Health England (PHE). PHE advises the Government on appropriate public health standards for protection from exposure to radiofrequency electromagnetic fields (EMFs), or radio waves. As already stated, following the concerns raised with us we have contacted PHE seeking further advice. We are also engaged with Government and Ofcom on future plans for 5G and other fixed line broadband and mobile infrastructure deployments. In developing with Heart of the South West partners a Digital Strategy, which in part will focus on digital infrastructure, the County Council and its partners would fully take on board the latest research and advice on the health and well-being from PHE in considering mobile connectivity.

## **11. QUESTION FROM MICHELLE HILLIARD (NOT IN ATTENDANCE) Re: Risk Analysis Assessments - 5G**

Do the DCC have a copy of Environmental and/or Health and Safety and/or Risk Analysis Assessments relating to 5G inception? If so, we request that you send us copies.

## **REPLY BY COUNCILLOR GILBERT**

As already stated the County Council relies on the advice and evidence provided by Public Health England and does not have any specific documentation for the County. Following the concerns raised with us we have contacted PHE seeking further advice.

## **12. QUESTION FROM MR NICHOLSON (NOT IN ATTENDANCE) Re: Energy Efficient Public Transport**

How will DCC work with providers of public transport in Devon to make public transport energy-efficient and to promote the use of renewable energy generation to power it?

## **REPLY BY COUNCILLOR CROAD**

There are a number of emerging alternative technologies being developed for bus propulsion. Recent years have seen trials and some wider introduction of hybrid, electric, bio-gas and hydrogen powered buses.

Many bus operators trialled hybrid diesel/electric buses. The popularity of these has been restricted by the cost of replacing the batteries, as up to three sets may be required over the life of a bus and disposal of the used batteries is difficult.

More recently electric (battery) powered buses have been ordered in a number of cities with funding from Government as part of the Ultra-low Emission bus scheme. The County Council did submit a bid with Stagecoach for electric buses for Exeter Park & Ride, which was unsuccessful. At the present stage of development electric buses have a limited number of applications in Devon, due to insufficient range.

Because of the length of routes operated and the hilly terrain Stagecoach primarily see many routes continuing to be operated by diesel buses. The latest Euro 6 standard produce a major improvement in air quality as buses must meet the requirement in real world testing, not just a theoretical trial. These tests show a reduction in NOx of 95% compared with a Euro V bus. The ability of Euro 6 buses to deliver an immediate improvement is also recognised in London, where the aspiration is that all buses will meet the standard by 2021.

This Council will work with operators to bid for future Ultra-low Emission bus scheme bidding rounds, although at present it seems areas needing to implement Clean Air Zones are being favoured. We will also monitor other developments, although at this time the additional costs involved make it unlikely that bus operators will be able to make these changes without funding to cover the difference in costs.

**13. QUESTION FROM JOHN KITSON (NOT IN ATTENDANCE)**

**Re: County Council position on 5G Roll-Out in Devon**

If the roll out of 5G (fifth generation wireless network) proceeds nationally - as planned and announced in principle by various telecommunications companies and the UK Government - will the Leader of the Council and the Members of the Council allow it to proceed in Devon?

**REPLY BY COUNCILLOR GILBERT**

Devon County Council is only responsible for planning applications relating to the public highway/street furniture and would review any such application for telecommunication infrastructure in accordance with Government and Public Health England (PHE) guidance.

