

*County Council
Thursday, 3rd October, 2019*

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

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The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

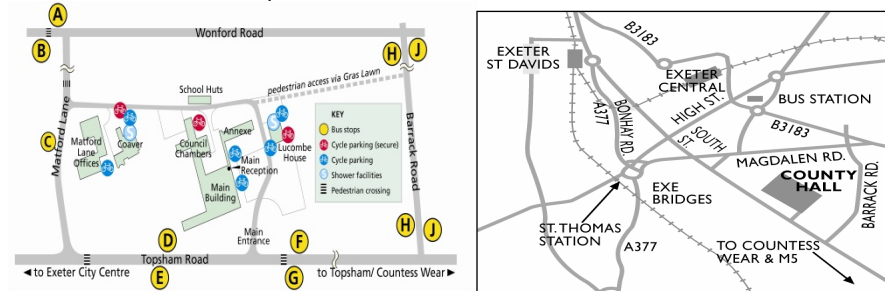
Car Sharing

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Car Parking and Security

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NB **A** **J** Denotes bus stops

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First Aid

Contact Main Reception (extension 2504) for a trained first aider.



DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

25 September 2019

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 3rd October, 2019 at 2.15 pm.

A handwritten signature in black ink that reads 'Phil Dorrey'.

Chief Executive

[Prayers will be offered by the Imam Ahmed, Leader of Exeter Mosque at **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

AGENDA

1 Apologies for Absence

2 Minutes

To approve as a correct record and sign the minutes of the meeting held on 25 July 2019.

3 Announcements

4 Items Requiring Urgent Attention

5 Public Participation: Petitions, Questions and Representations

Petitions, Questions or Representations from Members of the public in line with the Council's Petitions and Public Participation Schemes.

6 Petitions from Members of the Council

7 Questions from Members of the Council

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

FRAMEWORK DECISION

NIL

OTHER MATTERS

8 Cabinet Member Reports

To consider reports from Cabinet Members.

9 Minutes

To receive and approve the Minutes of the under mentioned Committees

- a Audit Committee - 29 July 2019 (Pages 1 - 4)
- b Appeals Committee - 9 September 2019 (Pages 5 - 6)
- c Investment and Pension Fund Committee - 13 September 2019 (Pages 7 - 12)
- d Procedures Committee - 17 September 2019 (Pages 13 - 14)
- e Development Management Committee - 18 September 2019 (Pages 15 - 18)
- f Children's Scrutiny Committee - 16 September 2019 (Pages 19 - 22)
- g Health and Adult Care Scrutiny Committee - 23 September 2019
- h Corporate Infrastructure and Regulatory Services Scrutiny Committee - 26 September 2019

These minutes will be published [here](#) shortly.

The minutes will be published [here](#) shortly.

NOTICES OF MOTION

10 Future of the Post Office (Minute 223 - 25 July 2019)

To receive and consider the recommendations of the Cabinet (Minute 391(a)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely;

Council notes with concern that;

Britain's 11,500 post office branches are facing mounting financial pressures. It is claimed financial pressures have already forced up to 1,000 out of business. More customers are now going online to buy stamps and parcels for postage. More people are also using the web to pay bills and to use government services.

Government subsidies for remote post office branches have already fallen from £415million in 2013-14 to £99million in 2017-18. Under current plans this will fall further to £50million in 2020-21 before being stopped completely. At the moment Post Office Limited, which is owned by the Government, replaces branches when they shut, but campaigners have warned that the rate of closures in the coming years will make this impossible.

This Council believes that:

Our post offices are a key asset for the community, and the expertise and experience of staff there is invaluable. The relentless franchising and closure programme of the profit-making Crown post Offices, points to a lack of vision rather than the plan for growth and innovation that is needed. Government should therefore halt these closures and bring together stakeholders, including the CWU, industry experts, and business leaders, to develop a new strategy that safeguards the future of the Post office.

Therefore, Council resolves;

To formally write to the Prime Minister, the Secretary of State for Business Energy and Industrial Strategy, the Chancellor of the Exchequer, and all our local Members of Parliament, calling on the Government to guarantee their future. We are calling for the network to be properly funded, with a full range of services over the counter for those who are not online, and better support for the development of community hub models.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/19/20) and other suggestions or alternatives considered at that meeting **the Cabinet subsequently resolved:**

(i) that Council urges Government to give consideration to the opportunities for further commercial support for rural, coastal and other 'community' critical post office locations, reflecting the challenges around the franchise model in many of these locations and their centrality to local service delivery;

(ii) that Council further urges Government to give consideration to the potential to better utilise and work with the post office network on wider service delivery, beyond financial transactions, and their potential role in competitive processes around regeneration and deprivation through key socio-economic Departments (MHCLG, BEIS, DCMS, DoH etc);

(iii) that Council note the ongoing work to map community assets including Post Offices and banks to identify gaps in physical banking facilities in market towns and for populations at least six miles from their nearest post office outlet; and

(iv) that Council supports links to communities and organisations wanting to develop and sustain the Post Office network in Devon, particularly where gaps in physical banking facilities exist.

11 Boosting South West Rail Investment (Minute 224 - 25 July 2019)

To receive and consider the recommendations of the Cabinet (Minute 391(b)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely;

Council is concerned that the £56 billion HS2 rail scheme has little or no direct economic, social or infrastructure benefits for the South West region.

Council considers that the existing rail links between London, Birmingham, Leeds and Manchester are already good, if not excellent, and in stark comparison to the far South West, that has dated and frail rail connections, that badly need new substantial strategic investment.

Council notes the recent report by the New Economics Foundation “A Rail Network For Everyone – Probing HS2 And Its Alternatives”, that includes rerouting the current HS2 funding to other regional rail improvements to improve local connectivity across the UK.

Council further notes other recent professional reports, representations and cross party discussions at Parliament, that have also recommended this move to invest in alternative railway investment away from HS2.

As part of this process Council supports that reallocation of HS2 funds for the following local projects;

- Improve connectivity to Bristol Temple Meads - to boost this transport hubs rail links - £125m*
- Rebuild Cullompton Station – lost since 1964, connecting the town to Exeter and Bristol, in tandem with the proposed 5,000 new homes at the garden village - £15m*
- Exeter to Plymouth via Okehampton - to improve sustainability, resilience, and green travel, in line with the ongoing substantial new housing developments - £500m*
- Cross Cornwall Rail Link – to improve links between East and West Cornwall - £125m.*
- Reopen the Bodmin to Wadebridge railway line – to convert the community line back into more active service - £125m.*

And the national scheme to build cycle paths next to motorways and A roads, to create 7,600 miles of new routes to boost cycling - £1.82bn.

Council resolves to make formal representations to the Parliamentary Transport Committee, the Secretary of State for Transport, the Chancellor, the Prime Minister and all local Members of Parliament to support this reallocation of strategic infrastructure investment, and work with other key regional partners to move matters forward.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/19/20) and other suggestions or alternatives considered at that meeting **the Cabinet subsequently resolved:**

(i) that with a new Secretary of State for Transport and a new Rail Minister in post, the PRTF be asked to reemphasise its prioritised list of strategic rail asks as set out in ‘Closing the Gap’; and

(ii) that Council remains focused on its own ambitions for rail and lobbying our Peninsula MPs through forums such as the all-party parliamentary groups or via direct correspondence with Ministers that has proven successful in the past; and continuing this positive engagement with Government is the most effective way to secure rail improvements for the South West and realising our true economic potential.

12 Appledore Shipyard Renationalisation (Minute 225 - 25 July 2019)

To receive and consider the recommendations of the Cabinet (Minute 391(c)) as an amendment to the following Notice of Motion submitted previously to the Council by

Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely;

Council notes that Appledore Shipyard has a long and proud history of building and repairing vessels, and general engineering work since its founding in 1855.

Council is gravely concerned that despite having a highly skilled, dedicated and innovative local work force the shipyard remains closed.

Council reflects that this area of Devon has high levels of child poverty, poor infrastructure and very high rates of rural poverty generally, all of which require more public investment and intervention.

Council calls on the Government to renationalise Appledore Shipyard and fully integrate the site and its operations into the Ministry of Defence, to secure its long term future, ensure that defence capacity and resilience are maintained and provide employment and propriety to the local community and the wider County of Devon.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/19/20) and other suggestions or alternatives considered at that meeting **the Cabinet subsequently resolved:**

(i) that Council note Appledore Shipyard has a long and proud history of building and repairing vessels, and general engineering work since its founding in 1855;

(ii) that Council is concerned that despite having a highly skilled, dedicated and innovative local work force the shipyard remains closed and is working with partners and Government to look into ways of securing new relevant employment opportunities at the site;

(iii) that Council reflects that this area of Devon has high levels of child poverty, poor infrastructure and very high rates of rural poverty generally, all of which require more investment; and

(iv) that Council continues to work with a range of partners including business, Trades Unions and the Government to ensure a satisfactory outcome which secures new investment into Appledore shipyard, creating highly skilled employment locally.

13 Veteran's Pledge (Minute 226 - 25 July 2019)

To receive and consider the recommendations of the Cabinet (Minute 391(d)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Scott and referred thereto in accordance with Standing Order 8(2), namely

This Council supports and urges the Government and new Prime Minister to implement the Veterans Pledge and legislate to:

1) create an Office of Veterans Affairs within the Cabinet Office, with a Cabinet level Minister, to ensure world-class care and support for former Armed Forces personnel;

2) enshrine the Military Covenant into law, so that no veteran or their family should

ever face any disadvantage because of their service for this country; and

3) end vexatious investigations into historical allegations against our troops - in Northern Ireland - to be passed before the next General Election.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/19/20) and other suggestions or alternatives considered at that meeting **the Cabinet subsequently resolved:**

(i) that Council submits a response to the public consultation on legal protections for Armed Forces Personnel and Veterans;

(ii) that Council notes the current position regarding enshrining the Covenant in Law (Armed Forces Act 2011); and

(iii) that Council notes the creation of the Office for Veterans Affairs.

14 Climate Emergency and the Inclusion of Ecological Emergency

Councillor Hodgson to move:

That DCC amends the Declaration of a Climate Emergency to include an Ecological Emergency.

15 Reconsideration of Dates for Carbon Neutrality

Councillor Hodgson to move:

In response to the recent Climate & ecological Emergency protests, this Council will reconsider its date for becoming carbon neutral from 2050 to a revised date of 2025.

16 Devon and Somerset Fire and Rescue Service Consultation

Councillor Shaw to move:

This County Council expresses its concern at the failure of the Devon and Somerset Fire and Rescue Service to formally consult the Council, especially in the light of our role as partner under civil contingency legislation. This Council believes that the Service has not presented sufficiently detailed and costed proposals for additional prevention and protection work to outweigh the undoubted extra risk to many Devon residents from the closure of fire stations and removals of engines involved in the consultation proposals. In this light Council urges the members of the Fire Authority not to proceed with any of the options but to ask for further work by the Service on the future pattern of provision.

Minutes of the Cabinet, Health & Wellbeing Board and Devon Pension Board do not form part of this agenda but can be accessed as follows

Cabinet-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=133&Year=0>

Health & Wellbeing Board-

<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=166&Year=0>

Devon Pension Board-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=185&Year=0>

Access to Information

Copies of any memoranda, reports or minutes, which are not circulated herewith or as separate documents, may be made available to Members upon request. A Minute that relates to a matter which has been delegated to any Committee the Minutes of which are contained herein is denoted by an asterisk in the margin. Minutes of the Council's Cabinet and of the Health & Wellbeing Board and the Devon Pension Board do not form part of this Agenda but links are provided for convenient reference.

Agenda and decisions of the Council, the Cabinet and of any Committees contained herein, together with the Health & Wellbeing Board and the Devon Pension Board referred to above, are published on the County Council's Website and can be accessed via the Modern.Gov App, available from all the usual stores.

Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Questions from Councillors

A Member of the Council may ask the Leader or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place.

Public Participation

Any member of the public resident in the administrative area of the county of Devon may submit a formal written question to the Leader upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place. The name of the person asking the question will be recorded in the minutes.

Alternatively, any member of the public who lives in the area served by the County Council may make oral representations on any matter relating to the functions of the Council. Such representations will be limited to 3 minutes, within the overall time allowed of 30 minutes. If you wish to make such a representation, you should, via email or letter, submit a brief outline of the points or issues you wish to raise before 12 noon 4 working days before the meeting takes place. The name of the person making the representation will be recorded in the minutes.

For further details please contact Karen Strahan on 01392 382264 or look at our [website](#)

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Emergencies

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Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

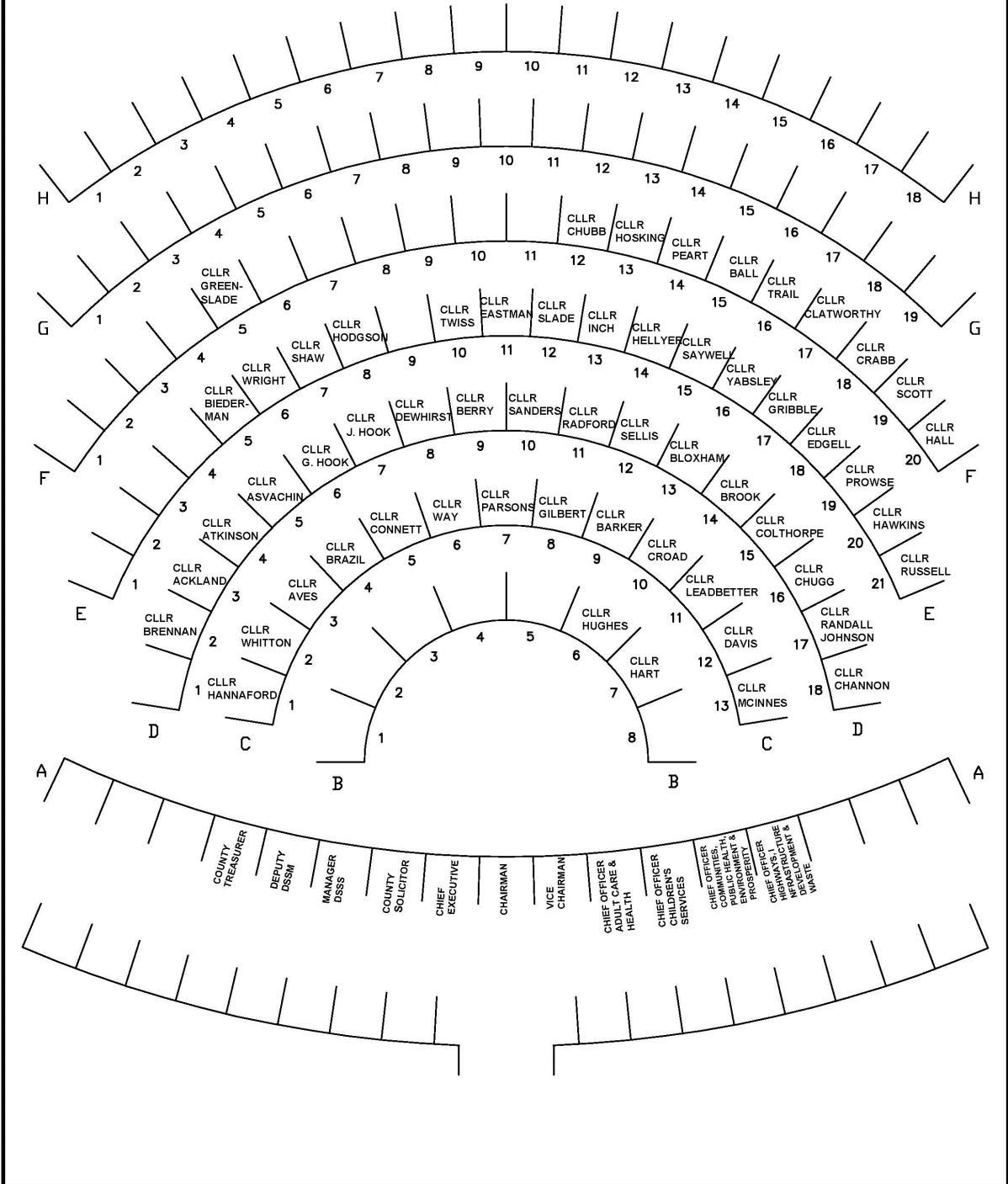
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Induction loop system available

Council Chamber Seating

MAY 2019



AUDIT COMMITTEE

29 July 2019

Present:-

Councillors J Clatworthy (Chair), I Hall (Vice-Chair), J Berry, J Brazil, R Peart, A Saywell and H Ackland

* 64

Minutes

RESOLVED that the Minutes of the meeting held on 21st May 2019 be signed as a correct record.

* 65

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

66

Doing What Matters Project

The members received a verbal update from the Head of Organisational Change and her team on the continued work of the County Council's transformation approach called Doing What Matters.

During discussion reference was made to the following:

- The programme is being rolled out across the organisation over the coming years.
- Local communities are very much part of the redesign process.
- Projects are underway in a diverse range of areas including in Highways, Corporate Workforce Development, Children's and Adult Services.
- Work that is underway to mitigate risks to the Local Authority.
- The potential for saving work time through this approach.
- The need to communicate Doing What Matters to all members, and the standing invite for councillors to G41 to get further information on the various projects the team are involved in.
- The potential for an Audit masterclass on Doing What Matters.

Members welcomed the presentation and noted the work being undertaken to drive organisational improvement but stated their desire for further information in the future.

It was **MOVED** by Councillor Clatworthy, **SECONDED** by Councillor Saywell, and;

RESOLVED that the progress of the Doing What Matters Team be noted and that a Masterclass be organised for the Audit Committee on the morning 27 February 2020.

67

Audit Findings Reports 2018/19

The Committee considered the Reports of Grant Thornton (CT/19/75) for Devon County Council and (CT/19/76) for Devon Pension Fund for 2018/19 setting out the findings arising from the audit of the County Council's financial statements, the work undertaken in relation to the value for money conclusion and the audit of the accounts of Devon Pension Fund

Grant Thornton delivered a presentation to Members that included an outline of materiality, audit risks and how those risks have been addressed.

Agenda Item 9a

AUDIT COMMITTEE
29/07/19

The External Auditors concluded that Devon County Council has proper arrangements to secure economy, efficiency and effectiveness in its use of resources. Subject to outstanding queries being resolved they anticipated issuing unqualified audit opinions on the financial statements of the County Council and Devon Pension Fund.

It was **MOVED** by Councillor Clatworthy, **SECONDED** by Councillor Saywell, and;

RESOLVED that the Reports of Grant Thornton (CT/19/75), and (CT/19/76) outlining the findings arising from the audits of Devon County Council and the Devon Pension Fund for 2018/19 be noted.

68 Statement of Accounts & Annual Governance Statement 2018/19

The Committee considered the Report of the County Treasurer (CT/19/77) together with the Statement of Accounts booklet. The Report highlighted the key messages from the Statements of Accounts 2018/19 including, inter alia:

- the pension liability of just under £1,050 millions not representing an immediate call on the Authority's reserves and was a snap-shot valuation in time based on assumptions.
- earmarked reserves (excluding carry forwards and schools) have increased by £25.2 millions.
- no new borrowing had taken place the year with capital expenditure due to be met from borrowing being financed from internal resources.

Since the Audit Committee meeting on 21 May 2019, the Grant Thornton have reviewed the Annual Governance Statement and advised that two paragraphs regarding the "Doing What Matters" approach and the Annual Audit Letter were not relevant to a review of the Audit Committee and Devon Audit Partnership and should not be included.

It was **MOVED** by Councillor Clatworthy, **SECONDED** by Councillor Peart, and;

RESOLVED

- (a) that the Letters of Management Representation for the Devon Pension Fund and the County Council be approved;
- (b) that the Statement of Accounts for 2018/19 be approved;
- (c) that the Pension Fund Statement of Accounts for 2018/19 be approved;
- (d) that the preparation of both the Statement of Accounts for the Pension Fund and County Council be approved on an ongoing concern basis, and;
- (e) that the two paragraphs advised by Grant Thornton not to be included in the Annual Governance Statement be removed.

69 Audit Committee Annual Plan 2019/20

The Committee noted the current Work Programme and

It was **MOVED** by Councillor Clatworthy, **SECONDED** by Councillor Peart, and;

RESOLVED that the current outline Work Programme be noted subject to the inclusion of a Doing What Matters Masterclass (arising from this meeting) for future consideration.

Agenda Item 9a

AUDIT COMMITTEE
29/07/19

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

The Meeting started at 2.15 pm and finished at 3.30 pm

APPEALS COMMITTEE

9 September 2019

Present:-

Councillors J Hawkins (Chair), G Hook, C Slade, P Twiss and C Whitton

* 146

Minutes

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

* 147

Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs 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.

* 148

Budget Monitoring

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Head of Planning, Transportation & Environment on the financial impact of the Committee's decisions for the current financial year 2019/20.

* 149

Deferred Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee noted the following appeals had been determined under urgency procedures following Members' route walks arising from the last meeting:

ST134 Berrynarbour - Ilfracombe Academy - Appeal Refused (Route available).

ST136 Blackhorse - Clyst Vale CC and ST137 - Appeal Refused (Route available).

ST135 Tithebarn, Exeter - Clyst Vale CC - Appeal Refused (Route available).

* 150

School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Chief Officer for Children's Services on appeals and written and verbal submissions from appellants who attended as follows:-

ST141 Venton - Ivybridge CC

Appellant and Local Member

Agenda Item 9b

APPEALS COMMITTEE
9/09/19

ST140 Landscope - S Dartmoor CC Appellant and Local Member

ST142 Holbeton - Ivybridge CC Appellant and Local Member

ST139 Branscombe - Honiton CC

RESOLVED:-

(a) that the following appeal(s) be allowed:-

ST140 Landscope - S Dartmoor CC

(b) that the following appeal(s) be refused:-

ST139 Branscombe - Honiton CC

(c) that the following appeal(s) be deferred for members' route inspection:-

ST141 Venton - Ivybridge CC

ST142 Holbeton - Ivybridge CC.

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

The Meeting started at 9.45 am and finished at 12.50 pm

INVESTMENT AND PENSION FUND COMMITTEE

13 September 2019

Present:-

Devon County Council

Councillors R Bloxham (Chair), Y Atkinson, R Edgell, R Hosking and A Saywell

Unitary and District Councils

Councillors M Lowry, J Pearce and J O'Dwyer

Other Employers

D Healy

Unison and Retired Members: Non Voting Observers

R Franceschini, J Rimron and S Teague

Apologies:-

Councillors A Connett and L Parker-Delaz-Ajete

* **126** **Announcements**

The Chair welcomed Mr Ray Hodgins who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* **127** **Minutes**

RESOLVED that the Minutes of the Meeting held on 28 June 2019 be signed as a correct record subject to a correction in Minute *115 to show the Committee noted the Minutes of the meetings of the Brunel Oversight Board held on 31 January 2019 and 30 April 2019.

* **128** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **129** **Devon Pension Board**

The Committee noted the Minutes of the Devon Pension Board meeting held on 15 July 2019.

* **130** **Pension Fund Annual Report and Accounts 2018/19**

The Committee considered the Report of the County Treasurer (CT/19/81) on the draft 2018/19 Pension Fund Annual Report, including the Statement of Accounts.

The Pension Fund Accounts had been approved along with Devon County Council's accounts by the Audit Committee on 29 July 2019.

The Committee's role was to approve the full Annual Report which contained the statement of accounts together with other information about the Fund's performance during the year.

Revised guidance on what should be included in the Annual Report had been issued by CIPFA (the Chartered Institute of Public Finance and Accountancy) in March 2019. As a result, a number of new or revised sections had been added to the Annual Report. These

Agenda Item 9c

INVESTMENT AND PENSION FUND COMMITTEE
13/09/19

related to Investment Pooling, Cost Transparency, Pension Fund Budget, Employers Contributions and Pensions Administration Performance.

The Independent Auditor Grant Thornton UK confirmed that in their opinion the Authority's Statement of Accounts (including the accompanying Pension Fund Statement) were consistent in all material respects with the audited financial statement in accordance with proper practice.

In terms of the Pension Fund's Governance and Compliance Statement, the Employee and Retired Member representatives indicated that they would keep their non-voting status under review.

Members commended the work of the Officers for the investment performance and pension administration and for the production and approval of the Statement of Accounts.

It was **MOVED** by Councillor Saywell, **SECONDED** by Councillor Bloxham and

RESOLVED that the Pension Fund Annual Report and Accounts for 2018/19 be adopted (subject to minor drafting changes).

* **131** **Investment Management Report**

The Committee considered the Report of the County Treasurer (CT/19/82) on the Fund value and asset allocation, performance against the benchmark, funding level, budget monitoring, cash management and engagement activity. Members also received the LAPFF Quarterly Engagement Report for the Quarter to April-June 2019.

The Fund value at 30 June 2019 stood at £4,461.6m, an increase of £160m over the quarter.

Members discussed issues surrounding proposed regulatory changes related to residential infra-structure/ground rents and implications for the Fund. The risks around this had been raised by Officers with the Fund Manager concerned.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Hosking and

RESOLVED

(a) that the Investment Management Report be noted; and

(b) that compliance with the 2019/20 Treasury Management Strategy also be noted.

* **132** **Investment Policy and Climate Change**

(Councillor J Hodgson attended in accordance with Standing Order 25(2) and spoke to this item and referred to the need for a more active approach by the Fund in regard to the Council's declared climate emergency, including possible divestment in energy fossil fuel extraction companies).

The Committee considered the Report of the County Treasurer (CT/19/83) on an update on the Committee's role as a responsible shareholder, policy developments, the current position and direction of travel with the transitioning of the Fund's assets from existing external fund managers to the Brunel Pension Partnership. The Report outlined Brunel's approach (detailed in their Position statement, attached to the Report) on how it was addressing climate change with a focus across all investments and not just on fossil fuel extraction companies. However, pending the full transition, the Devon fund currently had no data on the carbon footprint of its investments and a proposed analysis as at 31 March 2019 would provide a useful benchmark. There would be a small additional cost for the benchmarking exercise.

The Committee's Independent Advisor outlined the Brunel approach working in partnership working with its Client Funds including Devon by addressing climate change by focussing across all investments, not just fuel extraction companies. They would engage with companies, monitor and track progress which may lead to divestment in the longer run where it was evident that sufficient progress was not being made and in accordance with the Committee's fiduciary responsibilities and good Social, Environmental and Ethical investment practice.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Hosking and

RESOLVED

(a) that the Climate Change Position Statement issued by the Brunel Pension Partnership be noted; and

(b) that the undertaking of an analysis of the Fund's carbon footprint as at 31 March 2019 be approved and additional fee approval be authorised by the County Treasurer in consultation with the Chair, and the outcome (including methodology and detailed assessments) be reported to a future meeting of this Committee.

* 133 **Court Case**

The Committee noted the Report of the County Treasurer (CT/19/84) giving an update on a fraud case that involved irregularities in claiming an LGPS pension from the Devon Pension Fund. Officers would continue to work with the Police and the Employer to pursue the recovery of the overpayments.

* 134 **Employer Changes**

The Committee noted the following applications for admitted body status and other changes approved since the last meeting of the Committee:

(a) St Peter's Voluntary Aided School: outsourced its cleaning to Churchill Services Limited: closed agreement involving 3 staff.

(b) New academy conversions and changes:

- Cockwood, Kenton and Kenn C of E primary schools joined Osprey Learning Trust (formerly Teignmouth Learning Trust) – 01/06/19;
- Plympton St Mary C of E Infant School joined St Christopher's Primary Multi Academy Trust (MAT) – 01/08/19;
- Plymouth Academy Trust moved to Westcountry MAT – 02/10/19;
- St Luke's Science & Sports College joined Ted Wragg MAT – 01/10/19.

(c) Cessations – the following employers exited the Fund:

- Admitted body: Innovate (re Torquay Girls Grammar School) following loss of contract; and
- Admitted body: Well Connected – the last active member left.

* 135 **Committee Training**

The Committee noted the following training and engagement events arranged for Members of the Committee and Pension Board:

- Devon Pension Fund Training on Wednesday 30th October from 10am to 4pm; and

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- Brunel Pension Partnership Engagement Event on Tuesday 12th November from 10am to 3pm.

* **136** **Dates of Future Meetings**

15 November 2019 and 21 February 2020 at 10.30 am at County Hall, Exeter.

* **137** **Exclusion of the Press and Public**

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, information relating to the financial or business affairs of an individual other than 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.

* **138** **Brunel Pension Partnership - Transition of Assets**

(An item taken under Section 100A (4) of the Local Government Act 1972 during which the press and public were excluded).

The Committee considered the Report of the County Treasurer (CT/19/85) on progress in setting up the Property, Emerging Markets, Diversified Growth and Active High Alpha Global Equities portfolios and actions required to transition assets. The transition required careful management to mitigate the risks and costs.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Saywell and

RESOLVED

(a) that the County Treasurer be authorised to terminate the contract of the Devon Pension Fund's currently appointed active global equity manager at the appropriate time and liaise with the Brunel Pension Partnership to arrange the transition of assets to the Brunel Active High Alpha Global Equities Portfolio;

(b) that a further £110 million be allocated to the Brunel Low Volatility Equities portfolio, to be funded from the Brunel Passive Global Developed Equities portfolio; and

(c) that the Investment Strategy Statement be amended to increase the 2019/20 target for Active Low Volatility Equities to 5% of the Fund, and to reduce the Passive Equities target allocation to 38%.

* **139** **Brunel Pension Partnership - Reserved Matters**

(An item taken under Section 100A (4) of the Local Government Act 1972 during which the press and public were excluded).

The Committee considered the Report of the County Treasurer (CT/19/86) on reserved matters requests requiring shareholder consent.

The County Treasurer reported that she had referred the matter regarding a proposed salary cap for a new Chief Executive Officer of the Brunel Partnership to the Committee in order to provide guidance to her as the decision-maker for the Devon Fund. If a suitable candidate for the post could not be recruited within the proposed salary cap, which was subject to approval by the County Treasurer and the other partners, the matter would be reported back to this Committee.

The Acting Chief Executive Officer of Brunel, at the invitation of the Committee, joined the meeting and reported on the methodology used for setting a cap.

It was **MOVED** by Councillor Bloxham, **SECONDED** Councillor Hosking and

RESOLVED

(a) that the reserved matters request relating to the appointment of a Non-Executive Director on the Brunel Company Board be noted; and

(b) that an increase in the salary cap for Brunel's Chief Executive Officer post be approved in principle.

* **140** **Employer Contributions**

(An item taken under Section 100A (4) of the Local Government Act 1972 during which the press and public were excluded).

The Committee considered the Report of the County Treasurer (CT/19/88) on a proposal by a Fund Employer to make an additional one-off payment to eliminate or reduce their future deficit contributions. The additional payment was now expected in October and it was proposed to use it to rebalance the current asset allocation back to target in accordance with the Investment Strategy.

It was **MOVED** by Councillor Bloxham, **SECONDED** by Councillor Hosking and

RESOLVED

(a) that the proposed payment of a significant additional deficit contribution be noted; and

(b) that the investment of the additional deficit contribution as set out in the Report be approved.

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

The Meeting started at 10.30 am and finished at 12.50 pm

PROCEDURES COMMITTEE

17 September 2019

Present:-

Councillors J Hart (Chair), S Hughes and S Aves

Apologies:-

Councillors J Mathews, F Biederman, A Connett, R Hannaford, N Way and C Wright

* **67** **Election of Chair**

It was **MOVED** by Councillor Aves, **SECONDED** by Councillor Hughes, and **RESOLVED** that Councillor Hart be elected as Chair for this meeting.

* **68** **Minutes**

RESOLVED that the minutes of the meeting held on 9 July 2019 be signed as a correct record.

* **69** **Items requiring urgent attention**

There was no item raised as a matter of urgency.

* **70** **Announcements**

The Chair welcomed Mrs Saltmarsh to the meeting who was attending in her capacity as a Member of the Standards Committee to monitor compliance with the Council's ethical framework.

* **71** **Calendar of Meetings 2020/2021**

The Committee considered the draft calendar of meetings for 2020/21 prepared in line with the pattern of previous years, known determinants and relevant factors.

It was **MOVED** by Councillor Aves, **SECONDED** by Councillor Hughes, and

RESOLVED that the draft Calendar for 2021/2021 be approved for publication.

* **72** **Speeches at Council**

Members considered the current lengths of speeches at Council meetings and considered whether they were fit for purpose or whether changes are required. The current timings were detailed as follows.

- (a) on a minute or other matter relating to the Cabinet, by the Leader or an Cabinet Member: 7 minutes;
- (b) on a minute or other matter relating to any other committee, by the Chair of that committee or the relevant 'spokesperson' of the main Party Groups serving on that Committee: 7 minutes
- (c) by the mover of a motion to remove the 'star' from a minute to enable an amendment to that minute to be considered by the Council: 3 minutes.
- (d) by the mover of any other motion or an amendment: 7 minutes

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- (e) by the mover of a motion or an amendment exercising his/her right of reply: 3 minutes
- (f) by the Leader of the Council exercising their right of reply to Budget amendments: up to 10 minutes
- (g) by a Member attending a meeting of a committee under standing order 8(1) or 25: 5 minutes
- (h) all other speeches: 5 minutes

Members proposed the following changes, as outlined below, but asked that no decision be made until further consideration by the Procedures Committee.

- (a) on a minute or other matter relating to the Cabinet, by the Leader or a Cabinet Member: 5 minutes;
- (b) on a minute or other matter relating to any other committee, by the Chair of that committee or the relevant 'spokesperson' of the main Party Groups serving on that Committee: 5 minutes
- (c) by the mover of a motion to remove the 'star' from a minute to enable an amendment to that minute to be considered by the Council: 3 minutes.
- (d) by the mover of any other motion or an amendment: 5 minutes
- (e) by the mover of a motion or an amendment exercising his/her right of reply: 3 minutes
- (f) by the Leader of the Council exercising their right of reply to Budget amendments: up to 10 minutes
- (g) by a Member attending a meeting of a committee under standing order 8(1) or 25: 3 minutes
- (h) all other speeches: 3 minutes

RESOLVED that the suggestions for speech times outlined above be referred to the Motions Working Group to consider, prior to consideration by the Procedures Committee.

* 73

Notice of Motions Working Group

Members noted that the first meeting of the working group would meet on the rising of the next Procedures Committee on 7 November 2019.

RESOLVED that the membership of the working group be expanded to ensure representation from each Political Group.

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

The Meeting started at 10.30 am and finished at 10.48 am

DEVELOPMENT MANAGEMENT COMMITTEE

18 September 2019

Present:-

Councillors J Brook (Chair), S Aves, R Bloxham, J Hook, G Gribble, I Hall (Vice-Chair), L Hellyer, R Hosking, P Sanders, C Slade and J Yabsley

Members attending in accordance with Standing Order 25:-

Councillors G Gribble and J Brook (for items *81 and *82 respectively)

Apologies:-

Councillors Y Atkinson, A Connett, J Hodgson and T Inch.

* 78 **Announcement**

The Chair welcomed Sir Simon Day who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 79 **Minutes**

RESOLVED that the Minutes of the meeting held on 5 June 2019 be signed as a correct record.

* 80 **Items Requiring Urgent Attention**

No item was raised as a matter of urgency.

* 81 **County Council Development: Teignbridge District: Provision of a new link road connecting the A382 to West Golds Way, Land between the A382 and West Golds Way near the Newton Abbot Hospital, Newton Abbot**

(Councillor G Gribble declared his predetermination by way of his response within the consultation period as the Local Member and abstained from both the debate and vote in this matter).

(Councillor Gribble, as the local member, spoke in accordance with Standing Order 25 (2) in support of the application and left the meeting for the duration of the debate and vote on this matter).

(Ms D Fitzsimmons (on behalf of the applicant, Devon County Council) attended under the Council's Public Participation Scheme and spoke to this item in support of the application).

The Committee considered the Report of the Chief Planner (PTE/19/32) on a proposed new link road, including pedestrian and cycle facilities and associated landscaping, between West Golds Way and the already permitted Whitehill Cross roundabout on the A382.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

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The Chief Planner undertook to report to a future meeting on details of the Biodiversity off-setting/compensation used in regard to this application and other permissions.

The matter having been debated and having regard to the main material planning policies and requirements,

it was **MOVED** by Councillor Brook, **SECONDED** by Councillor Sanders and

RESOLVED that planning permission be granted subject to the conditions set out in Appendix I of this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Members).

* 82 **County Council Development: Teignbridge: Construction of a single storey extension to the existing school building and the alteration of the existing grass playing field to a 3G pitch, including associated landscaping and car parking, Chudleigh Church of England Community Primary School, Lawn Drive, Chudleigh**

(Councillor J Brook declared his predetermination by way of his response within the consultation period as the Local Member and abstained from both the debate and vote in this matter).

(Councillor Hall in the Chair).

(Councillor J Brook, as the local member, spoke in accordance with Standing Order 25 (2) in support of the application).

The Committee considered the Report of the Chief Planner (PTE/19/33) on an application for an extension to Chudleigh Primary School, additional car parking spaces; replacement of the existing grass playing field with an artificial 3G pitch; and landscaping proposals to create an informal teaching area.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

Members suggested the need for improved design and materials with regard to the proposed extension. This could be addressed via condition 7 of the proposed planning conditions relating to design quality and/or in consultation with the Chair and local Member.

The matter having been debated and having regard to the main material planning policies and requirements,

it was **MOVED** by Councillor Hall, **SECONDED** by Councillor Yabsley and

RESOLVED

(a) that planning permission be granted subject to the conditions set out in Appendix I of this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Member); and

(b) that prior to the issue of planning permission, confirmation of the resolution to grant planning permission be reported to the National Planning Casework Unit to afford the Secretary of State for Housing, Communities and Local Government the opportunity to call-in the application for his own determination as required by the Town and Country Planning (Consultation) (England) Direction 2009.

(Councillor Brook in the Chair)

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- * 83 **County Matter Waste: South Hams District: Construction of a waste transfer building; asbestos compound; waste treatment plan; weighbridge; parking for five additional cars and associated landscaping and drainage of waste transfer site; and land raise operations (importation of 585,000m³ of inert waste material over a 10 years period, requiring a change of use from agriculture (16.25 hectares) to waste, incorporating landscape restoration), Challonsleigh Farm, Smithaleigh, Plymouth**

RESOLVED that Members visit the site in advance of the consideration of the application on the morning of 27 November 2019 prior to the meeting of this Committee that afternoon (provisional date, subject to confirmation).

- * 84 **Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule**

The Committee received the report of the Chief Planner (PTE/19/34) of action taken under delegated powers.

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

The Meeting started at 2.15 pm and finished at 3.15 pm

CHILDREN'S SCRUTINY COMMITTEE

16 September 2019

Present:-

Councillors R Hannaford (Chair), D Sellis, S Aves, F Biederman, C Channon, J Hawkins, L Hellyer, R Hosking, T Inch, A Saywell and C Mabin

Apologies:-

Councillors J Brazil, I Chubb, G Gribble, M Squires and A Connett

Members attending in accordance with Standing Order 25

Councillor J McInnes

* **132** **Minutes**

RESOLVED that the Minutes of the meeting held on 10 June 2019 be signed as a correct record.

* **133** **Announcements**

The Chair welcomed Mrs Mayes who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework

* **134** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **135** **Public Participation**

There were no oral representations from members of the public.

* **136** **Scrutiny Committee Work Programme**

RESOLVED that the current Work Programme be approved subject to inclusion of the following topics for future consideration:

- Changes to Children's Community Health Services (Children & Family Health Devon)
- Monitoring of the Local Area Written Statement of Action for SEND
- Best Start in Life and integration with Children's Centres
- Recruitment/retention of qualified Public Health Nurses
- Impact of Eclipse (new social care system)
- Improving Scrutiny engagement with local partnerships and boards
- Children & Young People's Plan (refresh)

* **137** **Children & Young People's Involvement in Services**

(Councillor McInnes attended in accordance with Standing Order 25(1) and spoke to this item at the invitation of the Committee)

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CHILDREN'S SCRUTINY COMMITTEE
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The Committee received the Report of the Head of Commissioning of Children's Services (CS/19/25) which gave an overview of the activities that promoted the involvement, engagement and participation of children and young people and plans for improvement.

Recent inspection outcomes from SEND, focused visits, peer reviews and the Council's own review showed that participation and engagement currently happened across the partnership and children's services in pockets well, but this was not systematic, routine or embedded. A significant increase to the participation team had recently been agreed in local authority and partnership resources to enable the team to reach an increased number of young people from a wider demographic.

The Report set out the following areas of participation and engagement that were currently underway and how they would be developed, namely:

- Children's involvement in SEND services
- Parents' involvement in SEND
- Children Looked after and Care Leavers
- Mind of My Own
- Advocacy Services
- Young Carers

The Appendix to the Report set out the health check of current activity against the Hear by Rights programme, with some work already planned and underway where the initial self-assessment had identified gaps or areas of development.

In discussion, points included:

- the Advocacy services described was the contract providing support through child protection or children in care plans, and not through Devon Information Advice Service which supported the families of children with special education needs;
- it was hoped to see the impact of the additional resources received into the participation team in around 12/18 months' time;
- the participation team planned to work with communities and the voluntary sector to build mechanisms for young people to engage locally;
- the Bright Spots survey was Devon-specific, but questions had been set nationally;
- future action plans would include dates for proposed actions; and
- the Chief Officer undertook to circulate to Members information on the Champions for Change fund day in September.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis and

RESOLVED that Members of the Committee work with Officers to improve mechanisms for children and young people and parents to engage with Scrutiny, including exploring the potential for a 'Young People's Children's Services Committee'.

* 138

Young Carers & Young Carers Support Services

The Committee received the Report of the head of Commissioning of Children's Services which gave an overview of Young Carers and the Young Carers' offer. It described how young carers were a vulnerable group of children often putting themselves and their childhood to one side to support the needs of a parent or relative.

Nationally, Young Carers were reported to have worse outcomes than their peers in education, physical and mental wellbeing impacted by caring roles. As a result, the National Carers Action Plan was launched in 2018 and the NHS announced in June a 'care for young carers' offer in GP surgeries designed to help young carers who might be 'hidden', unpaid and under the age of 16.

Members noted that the Young Carers Support Service contract with Westbank Community Health and Care (Devon Carers) had been in place for 18 months and the annual review held in June 2019 showed an increased reach from the service with good awareness raising in schools and an increasing number of young people receiving one to one support.

Discussion points included:

- that the recommendations of a previous Scrutiny task group report that looked at Carers, in particular Children Carers, should be reviewed;
- that no referrals had been received from domestic abuse, adult substance misuse, young people's substance misuse or adult learning disability services;
- the countywide reach of Devon Carers at Westbank;
- encouragement for all schools to have a Young Carers Champion;
- concern that Young Carers may be vulnerable to bullying; and
- the Key Priorities as listed in the appendix to the Report was last updated in July and was due to be reviewed September 2019.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Saywell and

RESOLVED that a visit to Westbank Community Centre be arranged to allow Members to meet with young carers and those providing the support service to them.

* 139

Commissioning Liaison Member - Autumn briefing

Members considered the Report of the Commissioning Liaison Scrutiny Member (CS/19/23) updating the Committee on current and future children's services commissioning activity. This included continuing priority areas in Placement Sufficiency, Support for Children with Special Educational Needs and Disability, and Joint Commissioning.

The Report outlined the Commissioning Programme for the year ahead where activity was undertaken across the Commissioning cycle throughout the year. Scheduled to be looked at in the Summer/Autumn 2019 was Learner Support Services and Short Breaks. Activities launched in the Summer and concluding in the Autumn 2019 with contract award over the Winter of 2019/20 included Residential children's homes block contract tender; Youth service tender; and Information advice and guidance service.

The Report also highlighted the first quarter outcomes for services tendered in 2018/19, for example, Supported Living Options Homelessness prevention, Independent Sector Fostering Services and Children's Centres.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis and

RESOLVED

- (a) that the Commissioning Liaison member work with the Head of Children's Commissioning to consider how best Scrutiny Members can input into the recommissioning of Learner Support Services and Short Breaks going forward; and
- (b) that a Scrutiny review be established to consider the Sufficiency of Children's Residential Care (including Crisis Care) comprising Councillors Biederman (Chair), Saywell and Hosking.

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

The Meeting started at 2.15 pm and finished at 4.15 pm

