

*County Council  
Thursday, 20th February, 2020*



*You can view the agenda at  
<https://www.devon.gov.uk/democracy/>  
or use a smart phone camera and scan the code above.*

## **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

### Walking and Cycling Facilities

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### Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

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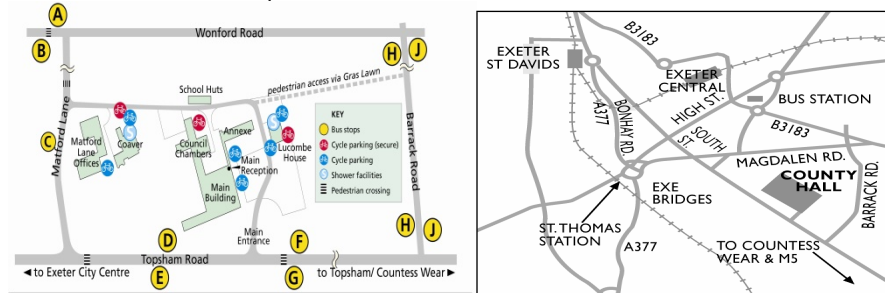
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Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

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There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



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

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**DEVON COUNTY COUNCIL**

To: Members of Devon County Council

County Hall  
Exeter  
EX2 4QD

31 January 2020

**Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 20th February, 2020 at 2.15 pm.**

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

Chief Executive

[Prayers will be offered by the Reverend David Fletcher, vicar of the Parish Church of St Peter & St Mary Magdalene, 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 5 December 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**

### **8 Revenue Budget 2020/2021, Medium Term Financial Strategy & Capital Programme 2020/2021 to 2024/2025**

In the exercise of its Public Sector Equality Duty, as set out below, the County Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required. The overview of the impact assessments for all service areas entitled '2020/21 Budget Impact Assessment' has been circulated separately and is available to all Members of the Council for consideration under this item (alongside any specific equality impact assessments undertaken as part of the budget's preparation) at <https://www.devon.gov.uk/impact/budget-2020-2021/>.

To receive and approve the Report of the County Treasurer (CT/20/20) together with the Minutes of the Cabinet held on 14th February 2020 relating to the budget and the Scrutiny Budget Resolutions from 28th January 2020, attached.

Minutes from the recent Scrutiny Budget meetings (Children's Scrutiny, Health and Adult Care and Corporate Infrastructure and Regulatory Services) are also attached for the information of Members.

The Report of the County Treasurer will follow. The Cabinet Minutes will be available to view at <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=133&MId=3435&Ver=4> shortly.

- a Scrutiny Budget Recommendations 2020/2021 (Pages 1 - 2)
- b Children's Scrutiny Committee (Budget Meeting) - 20 January 2020 (Pages 3 - 6)
- c Health and Adult Care Scrutiny Committee (Budget Meeting) - 23 January 2020 (Pages 7 - 12)
- d Corporate Infrastructure and Regulatory Services Scrutiny Committee (Budget Meeting) - 28 January 2020 (Pages 13 - 18)

### **9 Pay Policy Statement 2020/2021** (Pages 19 - 26)

To receive and approve the Councils Pay Policy Statement, as recommended by the Appointments, Remuneration and Chief Officer Conduct Committee (4 February 2020) (Minute 55 refers). The minutes and Pay Policy Statement are attached.

## **OTHER MATTERS**

### **10 Cabinet Member Reports**

To consider reports from Cabinet Members.

### **11 Minutes**

To receive and approve the Minutes of the under mentioned Committees

- a Appeals Committee - 6 January 2020 (Pages 27 - 28)

- b Procedures Committee - 4 February 2020 (Pages 29 - 32)
- c Appointments, Remuneration and Chief Officer Conduct Committee - 4 February 2020 (Pages 33 - 36)
- d Children's Scrutiny Committee (Ordinary Meeting) - 20 January 2020 (Pages 37 - 40)
- e Health and Adult Care Scrutiny Committee (Ordinary Meeting) - 23 January 2020 (Pages 41 - 46)
- f Corporate Infrastructure and Regulatory Services Scrutiny Committee (Ordinary Meeting) - 28 January 2020 (Pages 47 - 50)

## **NOTICES OF MOTION**

### **12 LGBT+ Inclusive Relationship and Sex Education (Minute 255 - 5 December 2019)**

To receive and consider the recommendations of the Cabinet (Minute 449(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;

*This Council notes that LGBT+ inclusive relationships and sex education is crucial to the development of young LGBT+ people, and in creating a more tolerant, caring and open society.*

*Council notes with concern that the current climate for LGBT+ people in the UK means that that nearly half - including 64 per cent of trans pupils - are bullied for being LGBT+ in Britain's schools.*

*Council notes that the repeal of Section 28 was a pivotal moment for LGBT+ rights, and that the UK must never move backwards on LGBT+ rights by stopping LGBT+ inclusive education in schools.*

*Council notes that people of all faiths and none are LGBT+ and it is vital that all children receive comprehensive and inclusive age appropriate relationships and sex education.*

*Council welcomes the introduction of statutory Relationships Education and Relationships and Sex Education (RSE), which all primary and secondary schools in England respectively will be required to teach from September 2020.*

*Council affirms unequivocally its support for compulsory LGBT+ inclusive Relationships Education and Relationships and Sex Education in all state funded primary and secondary schools.*

*Council commits to ensuring that schools are delivering RSE in line with new Government guidance.*

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

*'that Council be asked to support the principles of the Motion and therefore commits to advocate, promote and challenge schools to deliver RSE in line with new Government guidance.'*

**Care Leavers Council Tax Exemption (Minute 256 - 5 December 2019)**

To receive and consider the recommendations of the Cabinet (Minute 449(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;

*This Council **notes** that:*

- 1. Last year 780 young people (aged 16 or over) left the care of Devon County Council and began the difficult transition out of care and into adulthood.*
- 2. A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty.*
- 3. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care.*
- 4. The local authority has statutory corporate parenting responsibilities towards young people who have left care up until the age of 25.*
- 5. The Children and Social Work Act 2017 places corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.*

*This Council **believes** that:*

- 1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.*
- 2. Care leavers are a particularly vulnerable group for council tax debt.*

*This Council, therefore, **resolves**:*

- 1. To use the county council's convening powers and expertise in corporate parenting to work with all council tax collecting authorities to exempt all care leavers in the county from council tax up to the age of 25, sharing any arising costs proportionately.*

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) that Council note that in April 2020 there will be an evaluation of the first-year operation of the scheme established by the Devon Local Government Steering Group (targeted support including exceptional hardship funding and/or discretionary Council Tax write offs); and*

*(b) that this review establish how the Council continue to support care leavers by establishing how many care leavers have been assisted, how they have benefited, the costs to the Collection Fund and to inform a further consideration of alternative options available for the future of support for care leavers.*

**14 Artificial Light Pollution (Minute 257 - 5 December 2019)**

To receive and consider the recommendations of the Cabinet (Minute 449(c)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Shaw and referred thereto in accordance with Standing Order 8(2), namely;

*This County Council is concerned by scientific findings showing that artificial light pollution is a major factor in the decline of insect populations, and resolves to review the appropriateness of all external lighting for which the Council is responsible in the light of this concern, in conjunction with its Climate Emergency planning.*

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved** that Council:

*(a) Notes with concern recent research highlighting the effect of artificial lighting in contributing to the decline of insect populations;*

*(b) Continues its current efforts to reduce the detrimental effects of artificial lighting; and*

*(c) Investigates what further steps might be taken as part of its commitment to enhanced environmental action through the DCC Environmental Performance Board.*

**15 Devon and Somerset Fire and Rescue Service - Consultation and Options for Change (Minute 258 - 5 December 2019)**

To receive and consider the recommendations of the Cabinet (Minute 258) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Shaw and referred thereto in accordance with Standing Order 8(2), namely;

*This County Council notes that the Devon and Somerset Fire and Rescue Service have carried out a public consultation on 7 options for change, all of which include the closure of fire stations at Appledore, Ashburton, Budleigh Salterton, Colyton, Kingston, Porlock, Topsham and Woolacombe, as well as the removal of engines from other stations, and that, while a potential overall improvement in safety has been claimed as a result of these options, all are likely to result in increased risk for the substantial proportion of Devon's population who live near the affected stations.*

*This County Council notes that divisional members representing affected stations who are not members of the Fire and Rescue Authority, while having had the opportunity to submit written representations to the consultation, would not normally be able under the Authority's Standing Orders to address the Authority's decision-making meeting, This Council therefore requests the Authority to provide an opportunity, Standing Orders notwithstanding, for any affected members who wish so to speak.*

*This County Council also regrets the failure of the Fire and Rescue Service to consult directly with the Council as a partner Category 1 responder organisation in the provision of emergency services under the Civil Contingencies Act 2004, and notes that detailed discussion of the impact on civil contingencies such as flooding was not provided in the consultation. The Council therefore resolves to communicate its concern to the Service about this aspect of the consultation.*

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/1) and the updated report circulated at the meeting and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

*'that the Council notes the decisions made on 10 January 2020 by the Devon and Somerset Fire and Rescue Authority about changes to operation of the fire and rescue service, the details of which are summarised in the statement available here;*

*<http://www.dsfire.gov.uk/News/Newsdesk/PressReleaseArticle.cfm?ReleaseID=2277&siteCategoryId=3&T1ID=26&T2ID=36>.*

**16 Prevention Concordat for Better Mental Health and the 'Every Mind Matters' Campaign (Minute 259 - 5 December 2019)**

To receive and consider the recommendations of the Cabinet (Minute 449(e)) 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;

*DCC to sign the Prevention Concordat for better mental health.*

*Recognises and commits to support The Every Mind Matters campaign.*

*Supports the mental health of all DCC employees and contractors, this is key to providing first class services and leadership in Devon.*

*Understands the need to prevent mental health problems and promote good mental health through the lived experience of people who have suffered mental health problems.*

*(further information at <https://www.gov.uk/government/publications/prevention-concordat-for-better-mental-health-consensus-statement/prevention-concordat-for-better-mental-health>)*

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

*'that this Council requests the support of all Members for signing the Prevention Concordat; in promoting the Public Health England 'Every Mind Matters' campaign; in supporting the mental health of the Council's employees and, through its commissioned services, the mental health of providers; and to support the work the Council currently does – and will continue to do – in using the lived experience of people to better understand and to help and prevent mental ill-health'.*



**17 Totnes and Littlehempston Cycle / Footpath Scheme and the Council's Cycling and Multiuse Trail**

Councillor Hodgson to move:

*That the proposed Cycle and footpath link scheme between Totnes and Littlehempston be added to the County Council's current Cycling and Multiuse Trail strategy as this will:*

- 1. provide an important non-vehicular link between Totnes and its adjacent parish and village centre in Littlehempston;*
- 2. support the SHDC A385 Air Quality Management Action Plan (it is listed as an action) to address traffic congestion and air quality in Totnes and environs;*
- 3. complete an important missing link of the national NC2 cycle route (which when complete will link Dover in Kent with St Austell in Cornwall) supporting commuters as well as tourism; and,*
- 4. thereby support DCC's declaration of a climate emergency.*

**18 The Education (Guidance about Costs of School Uniforms) Bill 2019-20**

Councillor Hannaford to move:

**Council notes**

*In July 2019, the Work and Pensions Committee and Education Committee held a joint evidence session on school holiday poverty.*

*Following the session, the chair of the Work and Pensions Committee, Frank Field, sent a letter to the Secretary of State for Education stating that the testimony at the session from parents and parental support organisations was "profoundly distressing" and raised the issue of school uniform costs, in particular schools using particular providers for generic items.*

*The letter asked the Secretary of State to consider what the Government can do in supporting parents dealing with high uniform costs. It further stated that the committees would return to the wider issue later in the year, with further evidence sessions and a report.*

**Council notes with concern.**

*The Children's Commission on Poverty, supported by the Children's Society, published **The Wrong Blazer: Time for action on school uniform costs** in 2015, a report that highlighted concerns about uniform costs, recommended making the DfE guidance statutory, as well as that the Government should explore a school uniform cost cap.*

*In August 2018, the Children's Society published an update to the report, based on a survey of 1,000 parents, which highlighted uniform costs and the potential impact on children:*

*The report, **The Wrong Blazer 2018: Time for action on school uniform costs**, revealed families are paying out more on school uniforms, with an average of £340 per year for each child at secondary school – an increase of 7% or £24 since 2015. Parents of primary school children spent on average £255 per year, an*

increase of 2% since 2015.

*The high cost of uniforms can be put down in part to school policies that make parents buy clothing from specialist shops rather than giving them the choice of buying items at cheaper stores such as supermarkets or high-street chains. Where parents have to buy two or more items of school uniform from a specific supplier, spending was found to be an average of £71 per year higher for secondary school children and £77 higher for primary school children.*

*For children themselves, the cost of school uniform can have a serious impact. Around one in 10 parents said it had led to their child wearing uniform that didn't fit properly, and more than one in 20 said that their child had been sent home for wearing the wrong clothes or shoes as a result of them struggling to afford the cost.*

*The full report again recommended that the Government make the DfE guidance statutory, and also that the Government should end the freeze on key benefits and tax credits for families with children.*

### **Council welcomes**

***The Education (Guidance about Costs of School Uniforms) Bill 2019-20 that was introduced by Labour Mike Amesbury MP following the Private Members' Bills Ballot on 9 January 2020.***

*First reading took place on 5 February 2020 and the Bill's second reading is due on 13 March 2020.*

*The bill is designed to cut the cost of school uniforms in England. The draft legislation would aim to strengthen existing guidance encouraging schools to keep down costs.*

*It could also force schools to keep compulsory branded items, like blazers, to a minimum. Especially as an inquiry last year heard items like blazers embroidered with school logos can cost up to three times more.*

*The bill, whose details have yet to be finalised, now stands a much better chance of approval with government support.*

*The draft law has already received the backing of some Tory MPs such as Huw Merriman and Kevin Hollinrake, as well as Lib Dem education spokesperson Layla Moran.*

*It is understood that the bill would aim to make government uniform guidance statutory, meaning schools would be legally required to follow it.*

*The move would bring the English school system into line with Wales, where new statutory guidance came into force in September last year.*

### **Council therefore resolves**

*To formally write to all Members of Parliament in the Devon County Council area, clearly raising all these issues and concerns, with some local context, to urge*

*them to actively support and vote for this Private Members Bill, through all its parliamentary stages to ensure that it is enacted into law at the earliest opportunity.*

**19 Support to Town and Parish Councils and Speed Awareness Signs**

Councillor Connett to move:

*'Parish and Town Councils across Devon should be supported in providing the popular 'flashing or vehicle activated speed awareness' signs in their communities and the current fog of bureaucracy imposed by Devon County Council is ended. We call for a simpler system to help and support our local communities tackle concerns about speeding vehicles by giving our local Highways Officers the authority to agree the number and location of the 'vehicle activated speed awareness' signs with Parish and Town Councils'.*

*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**

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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.

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### **Mobile Phones**

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Induction loop system available

# Council Chamber Seating

DECEMBER 2019

