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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
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Devon
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Date: 1 September 2020

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CABINET

Wednesday, 9th September, 2020

A meeting of the Cabinet is to be held on the above date at 10.30 am at Virtual meeting. To view and watch the meeting, the link will appear below in due course. to consider the following matters.

Phil Norrey
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 8 July 2020 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

NIL

KEY DECISIONS

7 Budget Monitoring - Month 4 (Pages 1 - 4)

Report of the County Treasurer (CT/20/65) outlining the Budget Monitoring Position at Month 4, attached.

Electoral Divisions(s): All Divisions

8 Annual Market Sufficiency Report - Adult Social Care Report (Pages 5 - 24)

Report of the Joint Associate Director of Commissioning (ACH/20/126) outlining the Market Sufficiency Position Statement (Adults) for 2020, attached.

The Impact Assessment that was carried out in January 2020 is still valid and can be found on the [Impact Assessment Website](#).

Electoral Divisions(s): All Divisions

9 Proposed Extension of Shared Services Arrangement for Trading Standards (Pages 25 - 52)

Report of the Head of Trading Standards (EES/20/3) seeking approval of a Proposed Extension of Shared Services Arrangement for Trading Standards, attached.

An Impact Assessment is also attached for the attention of Members at this meeting.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

10 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Virtual Meetings

In considering the matter raised under Standing Order 25 in relation to Virtual Meetings and the discussion of the Committee regarding the merit in allowing flexibility to continue with Virtual Meetings, the Corporate Infrastructure and Regulatory Services Scrutiny Committee at its meeting on 24 June 2020 (Minute 185 refers), RESOLVED '*that the Cabinet be requested to write to Secretary of State to permanently change the law to enable virtual meetings to be a fixture of the effective running of local decision making for Local Authorities as this will support the most effective local decision making and action and further support green initiatives and carbon reduction*'.

Recommendation

That Cabinet note there are conversations with both the Local Government Association (LGA) and Association of Democratic Services Officers (ADSO) in terms of the future of meetings and flexibility moving forward and because this issue is the subject of a Notice of Motion from Council on 23 July 2020, it will be considered under the next agenda item.

Electoral Divisions(s): All Divisions

11 Notice(s) of Motion (Pages 53 - 74)

The following Notices of Motion submitted to the County Council by the following Councillors have been referred to the Cabinet in accordance with Standing Order 8(2), to refer it to another committee or make a recommendation back to the Council:

- (a) Virtual Meetings and their Future (Councillor Biederman)
- (b) Diversity and Council Policy (Councillor Connett)
- (c) Black Lives Matter (Councillor Wright)
- (d) A Better Future For Local Government - Leadership and Finances (Councillor Hannaford)

Recommendations of the Cabinet in response to the Notices Of Motion

Virtual Meetings and their Future

That it be noted that the Council has committed to holding remote meetings for the remainder of this year. However, in light of the wider issues raised in terms of budgets, climate change and the environment, the Procedures Committee be asked to produce a Report responding in full to the issues raised by the Motion, including any national debates on this matter.

Diversity and Council Policy

That Council be recommended to:

- (a) *Support current and planned activities which help to:*
 - (i) *Enable everyone in Devon to participate in, and contribute, to its society, economy, and communities;*
 - (ii) *Remove barriers; and*
 - (iii) *Tackle prejudice and inequalities.*
- (b) *Request a peer challenge, based on the LGA "Local Government Equality Framework".*
- (c) *Encourage all mechanisms that would increase of the diversity of Councillors.*
- (d) *Supports all Members to actively engage with BAME people and organisations;*
- (e) *Provides advice and support to schools on how they can support students understanding of BAME experiences, their history and contributions; and*
- (f) *Notes that Members' Locality Budget Fund can be used to support the diverse needs of all local communities.*

Black Lives Matter

That Council be recommended to:

- (a) Support Members to find and take opportunities to promote and celebrate the role and work in Devon by BAME people past and present;*
- (b) Support and encourage Members to engage with BAME people;*
- (c) Note that the streetnames etc are the responsibility of District Councils, however, should the County Council be involved in any such processes, the LGA guidance will be followed;*
- (d) Encourage Schools, Settings, DCC Babcock LDP to write a 'Position Statement' in reference to the Black Lives Matter campaign and post clearly on their website;*
- (e) Write to the Secretary of State for Education urging him to write to schools encouraging them to;*
 - i. Capture the voice of children, young people and consider how their practices and structures will change in response to the recent Black Lives Matter movement;*
 - ii. Ensure that the school environment and curriculum delivery allows all students to see themselves reflected and included; and*
 - iii. Reflect on how they challenge historic and persisting racist ideas and to how they celebrate diversity*

A Better Future For Local Government - Leadership and Finances

That Council be asked to:

- (a) Note the Reports contained within the appendix of the briefing report; and*
- (b) Will carefully consider the detail of any proposals in the forthcoming Devolution and Local Recovery White Paper when determining what actions it may wish to take to best meets the needs and interests of the people of Devon.*

Electoral Divisions(s): All Divisions

STANDING ITEMS

12 Question(s) from Members of the Public

13 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein (i.e. any unstarred minutes):

Minutes of [County Council Committees](#) are published on the website:

Minutes of the [Devon Education \(Schools\) Forum](#):

Minutes of the [South West Waste Partnership](#)

Minutes of the [Devon & Cornwall Police & Crime Panel](#)

- a Devon Audit Partnership Committee - 14 July 2020 (Pages 75 - 78)
- b Farms Estate Interviewing Committee - 27 July 2020 (Pages 79 - 80)
- c Farms Estate Interviewing Committee - 10 August 2020 (Pages 81 - 82)

14 Delegated Action/Urgent Matters

The Register of Decisions taken by Members under the urgency provisions or delegated powers is available on the website in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decisions taken and associated information can be found [here](#).

15 Forward Plan (Pages 83 - 94)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

([The Forward Plan is available on the Council's website](#))

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

NIL

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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Induction Loop available



BUDGET MONITORING 2020/21 Report of the County Treasurer

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation:

- a) That the month 4 budget monitoring forecast position is noted**
- b) That Devon County Council act as Accountable Body for the further Education Digital Skills Accelerator project (FEDA)**

1. Introduction

- 1.1. This report outlines the financial position and forecast for the Authority at month 4 (to the end of July) of the financial year.
- 1.2. At month 4 it is estimated that budgets will overspend by £4.5 millions. It is still early in the financial year but if this overspending materialises then it can be accommodated by not making the 2020/21 planned contribution to reserves of £4.5 millions which would leave the Council in a break-even position.
- 1.3. The Dedicated Schools Grant funding shortfall, relating to Special Educational Needs and Disabilities (SEND), is forecast to be £26.8 millions. As treated in 2019/20, and in line with Department for Education guidance, it is proposed this is not dealt with this financial year but is carried forward to future years.
- 1.4. Central government has put in place a number of grant funding streams to help support Local Authorities during this period. For the County Council the most significant of these is its share of the three main tranches known as the Local Authority Covid Support Grant, this totals £41.43 millions. Currently there is an overcommitment of just over £4 millions against this grant. If this pressure continues and further funding is not forthcoming from Central Government, there will be a need to meet the overspend from reserves.

2. Revenue Expenditure Adult Care and Health Services

- 2.1. Adult Care and Health services are forecast to overspend by just under £2.9 millions. This position includes £29,000 of management actions still considered deliverable.
- 2.2. As a consequence of the pandemic, it is estimated that £4.7 millions of the budgeted savings are no longer deliverable within this financial year and this pressure is instead supported by Covid-19 funding.
- 2.3. Adult Care Operations is forecasting to overspend by £1.6 millions. This overspend is primarily the result of pressures being experienced within Learning Disabilities and Autism. Client numbers for these areas are 99 higher than the budgeted level of 3,393.

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- 2.4. Adult Commissioning and Health is forecast to underspend by £75,000
- 2.5. Mental Health is forecasting an overspend of £1.4 millions. Pressures are being experienced from higher client numbers within community-based settings.

3. Revenue Expenditure Children's Services

- 3.1. Children's services are forecasting an overspending of £2.5 millions. However, this figure does not include projected funding shortfall of £26.8 millions on Special Education Needs and Disabilities (SEND).
- 3.2. Children's Social Care is forecast to overspend by £1.2 millions. The forecast includes budgeted savings of £614,000 which are no longer considered deliverable as a result of the pandemic and this pressure is instead supported by Covid-19 funding. £283,000 planned savings have been achieved and it is expected that a further £274,000 will still be delivered.
- 3.3. The forecast also includes £1.4 millions relating to the estimated cost of the Councils response following the outcome of the Ofsted inspection. This was agreed by Cabinet in May 2020. A pressure of £900,000 is being reported that is mainly associated with staffing and agency costs. An underspend of £1.1 millions is also forecast within Public Health Nursing which is the result of staff, accommodation and transport costs being lower than budgeted.
- 3.4. The non-Dedicated Schools Grant (DSG) element of Education and Learning is forecasting an overspend of £1.2 millions. This is the result of pressures within school transport, rising costs associated with contract changes and additional SEND personalised transport routes linked to continued growth in numbers. It is also becoming increasingly difficult to secure service provision locally, and Covid-19 is impacting on the level of efficiencies the service is expecting to be able to achieve.
- 3.5. Within the DSG Block, SEND is forecasting a funding shortfall of £26.8 millions. The High Needs block continues to be under significant pressure, the number of students with Education and Health Care Plans continues to grow along with the complexity of need of pupils and numbers.
- 3.6. In 2019/20 the DSG reported an outturn deficit of £19.7 millions which was carried forward as a deficit reserve as per government guidance. When combined with the current year forecast the deficit is expected to be £46.5 millions by the end of 2020/21. The service is currently developing a recovery plan for the overall DSG deficit, there has been a recent update from the Department for Education that Local authorities should expect to receive recover plan templates and guidance in October.

4. Revenue Expenditure Highways, Infrastructure Development and Waste

- 4.1. Highways, Infrastructure Development and Waste is forecasting an overspend of £500,000 at month 4.
- 4.2. Highways maintenance, Network Management, Street Lighting and Infrastructure Development are forecasting an overspend of £1 million. During the Covid-19 lockdown phase it proved difficult to undertake planned capital works. In agreement with service

managers the providers focus moved to responding to safety defects. This has meant a considerable reduction in the backlog of works but resulted in an increase in costs. The provider has now returned to a more business as usual working pattern, a rebalancing of costs between capital and revenue is expected to develop.

- 4.3. Pressures associated with a higher prevalence of Ash dieback than expected have also started to materialise, these are currently being managed against underspends in street lighting with lower energy costs as a result of the continued programme of LED lamp replacements.
- 4.4. Waste management is forecasting an underspend of £500,000. The impact on waste tonnages of the covid-19 lockdown has been mixed. Household recycling and food waste volumes have increased, while garden waste tonnages have been significantly lower, partly the result of household recycling centres being closed.

5. Revenue Expenditure Other Services

- 5.1. Communities, Public Health, Environment and Prosperity (COPHEP) are forecasting breakeven. Corporate Services are forecasting an overspend of just over £1 million the result of deferred income and cost pressures within Legal Services.
- 5.2. Non- service items, which includes capital financing charges, are forecast to underspend by £2.4 millions.

6. Capital Expenditure

- 6.1. The approved capital programme for the Council is £177.8 millions. This figure incorporates amounts brought forward from 2019/20 of £27.4 millions, and in year additions of £35.9 millions. Of this increase £31.3 millions is externally funded.
- 6.2. The year-end forecast is £159.5 millions, producing forecast slippage of £18.2 millions.
- 6.3. The main areas of slippage can be attributed to variations and programme delays in Planning and Transportation (£12.0 millions net slippage) which reflects the complexity of the major schemes within this service.
- 6.4. Historic trends suggest further slippage is likely, which is mainly due to fluctuations and variations of major projects. Wherever possible slippage is offset by the accelerated delivery of other approved schemes within the capital programme, subject to affordability.
- 6.5. Devon County Council has been asked to act as Accountable Body for the Further Education Digital Skills Accelerator project (FEDA), which will see the investment by Devon Colleges of £2.3 millions in new capital equipment funded 50% by Growth Deal funding, and 50% by Devon Colleges. Acting as Accountable body means that Devon County Council is appointed by the Partnership to exercise duties and responsibilities on their behalf, such as processing grant claims to the LEP and reimbursing Colleges for eligible expenditure. However, Devon County Council will not incur any expenditure other than administrative expenses for which it will be compensated. Financial regulations require that Cabinet approve entering into such an arrangement.

7. Debt Over 3 Months Old

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- 7.1. Corporate debt stood at £6.3 millions, being 3.6% of the annual value of invoices, against the annual target of 1.9%. The balance of debt owed will continue to be pursued with the use of legal action where appropriate to do so.

8. Covid-19

- 8.1. In response to the COVID-19 outbreak, the government has been making a series of ongoing policy announcements, initially at Budget 2020. This has meant local authorities have had to respond quickly to new announcements and understand their financial implications.
- 8.2. Central government has put in place a number of grant funding streams to help support Local Authorities. For the County Council the most significant is its share of the three main tranches known as the Local Authority Covid Support Grant, this totals £41.43 million.
- 8.3. The Local Authority Covid Support Grant is overcommitted by just over £4 millions. There is a degree of estimation associated with the values of the various interventions in place and the total commitment has the potential to increase as circumstances evolve. If this pressure continues and further funding is not forthcoming from Central Government there will be a need to meet the overspend from reserves.

9. Conclusion

- 9.1. The level of uncertainty and pressures being faced by the public sector this year are greater than ever before. The projected forecast of breakeven is welcomed but there remain significant far reaching risks associated with the impact of the pandemic which could be financially destabilising.

Mary Davis, County Treasurer

Electoral Divisions: All

Cabinet Member: Councillor John Hart

Local Government Act 1972: List of Background Papers

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Date Published: 5th November 2019

ADULT SOCIAL CARE MARKET SUFFICIENCY STATEMENT 2020

Report of the Associate Director of Commissioning (Care and Health)

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

1. That the impacts on the adult social care market of Covid-19, together with associated financial risks, are taken into account as part of budget preparation (section 3 and 5)
2. That the Cabinet endorses the actions being taken to address sufficiency and to remodel key sectors of the market (section 3 and Appendix 1).
3. That the Cabinet agrees that detailed proposals are prepared supported by the Cabinet Member for Adult Care and Health, to lead a high profile campaign locally and nationally to secure a social care workforce that delivers the high quality care and support to which we aspire, through improved terms and conditions and other measures (see section 4).

1. Background/Introduction

- 1.1 At its meeting on 15 January 2020, Cabinet required (minute 448) that a Market Sufficiency report be presented each September.
- 1.2 This report details the initial impacts of COVID19 on adult social care markets and sets out actions to respond to them.
- 1.3 The January 2020 Market Position Statement (MPS) is available at <https://www.devon.gov.uk/providerengagementnetwork/statements/> and will be updated in the coming months where change is indicated.

2. Strategic Context

- 2.1 The pandemic has reinforced the importance of the adult social care sector to the safety and well-being of the people of Devon and demonstrated the strong partnership between the Council, the NHS and our independent sector provider partners.
- 2.2 Our health and care system has performed very well throughout the pandemic. The rapid and sustained action taken to support providers has

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been fundamental to that success and has built a strong platform to address future challenges.

- 2.3 Nevertheless, the impact on the adult social care market has been significant and, in preparing for Winter, we need to address new challenges and assess future risks, especially in relation to service models, provider infrastructure, pricing and workforce.
- 2.4 Those markets identified in January as presenting the greatest risks to sufficiency (care homes and domiciliary care) remain high priority but increased focus is now also needed in relation to:
 - buildings-based day services, many of which cannot safely continue with historic models of service delivery
 - the Supported Living market, due to the increased risk of Covid-19 in shared accommodation
 - replacement care, due to increased pressures on unpaid carers.
- 2.5 A strong care workforce is key. The pandemic has presented major difficulties for providers, but the care sector now has a much more positive profile and, coupled with rising unemployment, the potential to attract and retain staff. This is illustrated by our successful Proud to Care campaign which resulted in approx.150 new recruits.
- 2.6 The Council's increased investment into the pay of domiciliary care workers and commitment to review pay and conditions in care homes as part of the 2021/22 fee review, has been widely welcomed.
- 2.7 Our sufficiency plans will balance strategic market assessments with place-based commissioning so that we reflect local conditions.

3. Market Sufficiency Assessment

- 3.1 This section sets out 5 priorities
- 3.2 Running through them is the need to address the needs of a relatively small number of people who have the most profound needs, especially those with physical and learning disabilities, enduring mental health needs and autism. The solutions for this group are often highly bespoke and represent the highest individual cost of provision, potentially over a long period of time.
- 3.3 Care Homes
 - 3.3.1 The Care Homes market has been heavily impacted by the pandemic but has responded well and has had fewer deaths than national experience would have indicated. This is recognised nationally.
 - 3.3.2 In February 2020 the average vacancy rate of CQC registered beds was approx. 4%. In August 2020 vacancies have risen to 8%. The southern

locality currently has the highest number of vacancies of both residential and nursing beds at 10%. However, homes which provide a service to support complex dementia have a much lower vacancy rate at approximately 3%.

- 3.3.3 Whilst the number of placements made by the Council and NHS has been consistent, or even higher than usual, the number of self-funders taking up care home placements appears to have fallen. This may be masked by NHS funded placements as part of the COVID-19 hospital discharge guidance. This has meant that all individuals have had state funded care placements throughout the current escalation period.
- 3.3.4 It remains difficult to place people with complex needs and behaviours that challenge services.
- 3.3.5 Ensuring sufficient staffing to deliver enhanced levels of care to support the self-isolation of people newly admitted to care homes (in line with infection control guidance) is difficult for some homes.
- 3.3.6 The average cost per bed has increased in both residential and nursing care, creating a budget pressure. This is common across the region.
- 3.3.7 Continued risks and issues in this sector include:
- varying levels of vacancies but up to 30% in some homes, made more acute where there has been an outbreak, bringing associated financial pressures and increased risk of provider failure
 - high running costs linked to PPE and higher staff levels
 - the impact of any second wave and the ongoing costs of infection control and testing
 - potential for more nursing homes to de-register nursing beds as they struggle to recruit and retain nursing staff.
 - insufficient capacity if the market shrinks rapidly but demand returns to pre- covid19 levels
 - seasonal pressures may be more intense, especially this winter, due to the combination of Covid and the usual flu season.
 - care Homes have largely stopped delivering day care and respite care, further impacting on income streams (although continued financial support has been offered in relation to day services)
 - a skills shortfall in those working with people with complex needs and nursing
 - increased costs to address pay and conditions in the 21/22 fee review
- 3.3.8 Our priority actions in this sector are:
- Maintaining flow through the hospital system

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- Supporting on-going infection control measures
- Reassessment of demand profiles
- Preparation of a Market Development Plan to address winter pressures and longer-term rebalancing of the market
- Increasing capacity for people over 65 with complex mental health needs
- Reviewing capacity for people under 65 with complex needs, physical disabilities and behaviour which challenge services
- Facilitating the Nursing Associate Apprenticeship Scheme, alongside other workforce initiatives in partnership with the NHS.

3.4 Regulated (domiciliary) Personal Care

3.4.1 In February 2020 there was a shortfall of 3,000 hours per week (6% of total commissioned hours) affecting 300 people, 50% of which was in Exeter and South Devon.

3.4.2 Demand reduced from April-June but has climbed steadily during July and August. The current shortfall is 2,365 hours per week, affecting 190 people (5% of total commissioned hours). The highest areas of unmet need are Mid Devon, East Devon and South Devon.

3.4.3 The additional permanent investment in the pay of domiciliary care workers should have a positive impact on retention and recruitment and improve sufficiency during the Autumn.

3.4.4 This action, together with further measures that will be needed, is crucial as the capacity tracker developed by CQC highlights that Devon stands out regionally and nationally as an area where providers are reporting major difficulties in securing sufficient staffing.

3.4.5 The key issues and risks affecting this sector include:

- Insufficient availability of care (and other) staff
- A changing pattern of demand, as we try to meet the needs of more people in their own home, often with more complexity and frailty
- Maintaining hospital flow requires new approaches to supporting admissions and discharges.
- The need for a faster response, often with bigger packages of care
- Uncertainty of demand patterns during the winter
- Reliance on costly agency staffing in Exeter, Mid and South Devon. Failure to reduce or replace will increase costs over winter.
- Managing complex and challenging behaviours requires new skills
- Challenges in offering double-handed and end of life care and in reaching some rural areas
- Increased demand for replacement care (day and night sitting) arising from reduced availability in care homes and day centres

- Changing patterns of support by unpaid carers and increased pressure on supply as those who have cared for relatives whilst furloughed return to employment
- The 5 year Living Well at Home contract ends in July 2021

3.4.6 Our priority actions in this sector are:

- Increasing workforce capacity
- Continuing action to reduce the numbers of people waiting for care
- Reassessing demand profiles and preparing for winter
- Building on our investment in the care workforce to strengthen its skill base, improve retention and boost recruitment
- Phasing out agency staffing, potentially through new block contracts
- Planning for future arrangements for the Living Well At Home contract after July 2021, including potential for efficiencies in the delivery model

3.5 Replacement Care

3.5.1 The reduced access to replacement care during the pandemic has had a significant and continuing impact on the wellbeing of unpaid carers.

3.5.2 Whilst demand is increasing, traditional forms of replacement care have reduced (already insufficient before the pandemic) in care homes and day centres.

3.5.3 The key issues and risks in this sector are:

- Increased risk of carer breakdown and safeguarding concerns arising from the increased intensity of the caring role
- Greater impact on the mental health and well-being of carers, exacerbated by their increased isolation
- Potential increase in the number of carers in crisis and longer term unbudgeted spend
- More difficult environment to develop replacement care solutions
- Impact on employment if unpaid carers cut back their paid work hours or give up their jobs, together with associated hardship

3.5.4 Our priority actions in this sector are:

- Increasing supply through an invitation (August 2020) to providers to join a list of services offering replacement care
- Market Development arising from that offer
- A focus on innovation, informed by the experience of unpaid carers
- Consideration of the potential for family-based and live-in care

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3.6 Day Opportunities

3.6.1 Unregulated care and support is largely delivered through a “Supporting Independence” contract, which is structured in 2 lots:

- Lot 1
Day opportunities (group based) – including building-based day care.
- Lot 2
Care through the front door or individualised support – this is support which is not regulated personal care.

3.6.2 105 providers offer day opportunities. As a result of COVID19, approximately 30% of these providers may withdraw their service due to issues of safety and sustainability. This reflects national trends and is likely to impact mostly on older person’s day opportunities.

3.6.3 Devon County Council respite centres closed during the COVID19 pandemic with staff reallocated into other activities such as enabling. Bed-based care in these centres re-opened from 17 July but day services remain under review, whilst we consider how we can provide services safely and in line with COVID19 guidance.

3.6.4 Financial support from the Council for day opportunities providers is available until the end of September, regardless of whether they are currently providing day care, to allow time to review their position.

3.6.5 For some time it has been a priority to improve support in the unregulated market for people with disabilities, mental health needs and autism. A further 20 providers entered our contract before the process was delayed because of Covid-19, and this remains a priority.

3.6.6 Key Risks and Issues facing this sector are:

- Likely closure of day centres, especially for older people
- Managing the transition from buildings-based day care to small-group or individualised solutions, which is likely to be at higher cost
- Loss of day care provision may have a significant impact on the wellbeing of unpaid carers

3.6.7 Our priority actions in this sector are:

- Opening the Supporting Independence framework (August 2020), with new providers operational under the contract from 1 April 2021
- Financial support to day opportunities providers until end September 2020 to either enable them to safely re-open or to adapt or close their services in a managed way
- Re-commissioning of the Supporting Independence (SI) framework, which ends on 30 September 2021.

- Consideration of the future of day service provision offered by the County Council.

3.7 Supported Living

3.7.1. Due to the extensive work undertaken during Covid19 to support this sector, our understanding of existing provision (comprising the care and support and the properties into which this is delivered) is much improved. However, more understanding is needed of future demand. This is a key action for our Housing with Support strategy.

3.7.2 As at 13 August there were 348 Supported Living properties with 1678 rooms in the County Council area. 67 providers deliver care and support to multiple service users living in these properties. 115 rooms are potentially available, depending on the match of the needs of new referrals and other tenants.

3.7.3 Whilst this market has been stable during Covid-19, it remains difficult to identify appropriate care and support solutions for people with mental health needs or with complex behavioural needs and for low-level, step-down transition support.

3.7.4 Key Risks and Issues facing this sector are:

- The serious risk of community transmission of Covid 19 in shared environments, mitigated by the Council's allocation of £1.6m from the Infection Prevention and Control Fund to the sector
- The need for more specialist capability, particularly for people with mental health needs and behaviours that challenge services
- The need for a wider range of appropriate accommodation solutions
- Financial sustainability, given the structure of this market where the tenancy and landlord function is separate to the care and support function, and with an increase in large national property investment organisations entering the market.
- Financial sustainability arising from future housing benefit decisions, including enhanced housing benefit that currently supports many people living in this marketplace.
- Staff shortages and skill gaps required to support the breadth of needs and complexity of service delivery.

3.7.5 Our priority actions in this sector are:

- Ensuring appropriate staffing levels, especially when staff work across various properties, to reduce risk of Covid transmission between settings

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- Enhancing training, technology and other support to mitigate infection control risks
- Developing specialist capability with providers to match crisis support needs, complex behaviour needs and transition support.
- Work with providers to:
 - prevent hospital re-admissions and support discharge
 - reduce the number of out of county placements
 - increase the number of providers taking new placements out of office hours
 - increase resilience and develop strong business continuity plans
 - enhancing skills to meet specialist needs including mental health, autism and complex needs
- Work with District Councils and landlords to improve the supply of appropriate accommodation options.

4 Transforming the Independent Sector Workforce

4.1 Context

4.1.1 The pandemic has brought the social care workforce into the heart of debates about public policy but, wider social and economic concerns may overwhelm that shift.

4.1.2 The action by the Council to increase pay for domiciliary care workers and to commit to reviewing pay for care home workers in 2021, has provided a potential springboard from which to build. There is a once in a generation opportunity to make a transformational change to the expectations, performance and rewards of this sector.

4.2 The Opportunity

4.2.1 Our population expects and deserves high quality services, driven by training and skills, stability and values-based practice and leadership.

4.2.2 Devon's performance during the pandemic has been recognised nationally. Our demographic profile, together with our scale and strong relationships with our provider partners in both the NHS and independent sector gives us a platform from which to build a radical new approach to our workforce and, through it, to transform outcomes for the people of Devon.

4.2.3 As the Council establishes its recovery plan to address the consequences of Covid we need to ensure that social care is a core element of that programme of change.

4.3 Why is change needed?

- Our workforce is not sufficient, resilient or ready for future challenges
- It does not feel respected or valued and providers struggle to grow

- The nature of provision is changing and, arguably, the pandemic will be a catalyst for a long - term structural change in our markets
- Need is changing, becoming more complex and intense
- The public has different and changing expectations
- Our services need more agility to respond to wider system performance and to demographic, social, cultural and scientific developments
- The impact of Brexit and specifically the reduction in workforce from overseas and the expectation of government that we develop our own solutions to ensuring a workforce that is skilled and sufficient for the future.

4.4 What might a transformed social care workforce look like?

4.4.1 It would be:

- A workplace of choice – attracting people, not just because they have the right values but because it offers sufficient financial rewards to make it a viable economic choice
- A career of choice – because entrants can see a range of pathways of opportunity
- Respected and valued – not just by those who work in it but by the public at large; seen as a vital and vibrant part of our local community
- Driven by research and development – looking optimistically to the future and built on ethical practice, evidence, training, science and technology AND
- It would lead nationally – recognised for its innovation and leadership. It would maximise assets in science and production and transform health and care as we move from care settings to places and communities.

4.5 What prevents this happening now?

- Lack of commitment – the sector has not been high priority for a unified approach politically, economically or socially
- Lack of value – social care has not been seen as important and of value, certainly when compared to the NHS
- Lack of reward – investment in pay and conditions has lagged and does not reflect work that is valued
- Lack of economic impact – seen as a sector of high employment but low value and low economic return on investment.

4.6 How could things be different?

4.6.1 Devon County Council could seize the initiative and build a social care sector that is ready to address the challenges of the next 30 years. To do so the Council would need to assert its leadership and influence to:

- Engage a broad coalition of local, regional and national partners and
- Prepare a Prospectus for Change with a programme for the next 5 years which positions Devon as the vanguard of change

4.6.2 The “Prospectus for change” would need

- Political commitment – in the Council, through its MPs and with central government, including APPG

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- Policy commitment – through ADASS, LGA and CCN
 - Professional commitment - supported by Professional and Trade Bodies and Trades Unions.
 - System commitment – STP benefits from sufficient markets, built on shared purpose, collaboration and trust
 - Economic commitment:
 - Locally - consolidate the Council and NHS action to improve pay and conditions in the domiciliary care sector and recognise the investment that would be needed following a review of care home pay and conditions. For providers, the workforce acts a foundation for business growth and development
 - Regionally – working with the LEP to achieve a sector of high added value, engaging advanced industries in robotics, AI, green energy and backed by significant investment
 - Nationally – taking the case to government for the necessary investment
 - Environmental commitment – recognised as a major contributor to carbon reduction, through use of e.g. electric vehicles to reduce carbon-based fuel consumption. Link to the “Go Green” programme.
 - Social commitment – by engaging and harnessing public opinion to value the sector
 - Educational commitment – combining the energy of the further and higher education sector to build a Social Care Academy in the county, nationally unrivalled that would be seen as a centre of research and development and learning.
- 4.7 This programme would need to be delivered through a high - profile national, regional and local campaign

5 Consultations/Representations/Technical Data

- 5.1 The provider representatives on our Provider Engagement Network Reference group have had an opportunity to comment on this report. Service Users, Carers and the general public are consulted separately where any significant changes to policy or service delivery are proposed or implemented.

6 Financial Considerations

- 6.1 There are significant risks of increased cost pressures to address the challenges set out in this report, the most significant of which are:
- The aspiration for greater investment in the workforce, especially but not exclusively as part of the care home fee consultation for 2021
 - The potential for rising unit prices, to address the specific and unavoidable costs still present from the pandemic, for example items such as PPE
 - Provider fee adjustments to reflect the changing context in which they operate and offset the number of voids they are carrying
 - Changing models of care leading to higher costs e.g. relatively inexpensive day care may have to be replaced by 1:1 or small group work

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- Increased risk of business failure may lead to an increase in demand for supplier relief or alternative service provisions
 - The uncertainty of future government support to address the ongoing costs from the impact of the Covid 19 pandemic over the spring, and furthermore any further waves of Covid-19
 - Large numbers of service user reviews will need to be undertaken to address government requirements in relation to funding for hospital discharge and providers seeking price increases.
- 6.2 It is not yet possible to assess the level of cost implication in each priority area, these will be considered as part of the detailed work that results from the Sufficiency Assessment and for budget preparation.
- 7 Legal Considerations
- 7.1 This annual Sufficiency Statement has been prepared to update the MPS with the latest position. The MPS is prepared as part of the Council's duty of Market shaping under the Care Act 2014.
- 8 Environmental Impact Considerations (Including Climate Change)
- 8.1 The environment and environmental impact considerations will be considered as part of the detailed work that results from the Sufficiency Assessment.
9. Equality Considerations
- 9.1 An Impact Assessment was prepared for the MPS in January 2020 and this still stands.
- 10 Risk Management Considerations
- 10.1 This Sufficiency Assessment is key to our risk management of care markets. For example, it helps us understand where clients may have difficulty receiving services because of a lack of good quality providers. We can then take mitigating actions to ensure that we maintain a sufficient marketplace. This has been particular important during the COVID19 situation.
- 11 Public Health Impact
- 11.1 The Public Health considerations will be considered as part of the separate work on the future plans contained in the action plan.
- 12 Summary/Conclusions/Reasons for Recommendations
- 12.1 The Market Position Statement, along with this Sufficiency Statement, are key tools for analysis our marketplace and delivering our plans, both countywide and at a local level. Without a vibrant market we cannot fulfil our statutory obligations, nor meet the changing needs of the public. Our

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providers are significant partners as well as contractors and we will continue to work with them to adapt the profile of supply and assist them with planning.

- 12.2 The impacts and uncertainties arising from Covid, added to the issues that were already present in our markets, will be a major challenge for some years to come.

Tim Golby
Associate Director of Commissioning (Care and Health)

Electoral Divisions: All

Cabinet Member for Adult Social Care and Health Services: Councillor Andrew Leadbetter

Chief Officer for Adult Care and Health: Jennie Stephens*

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for Enquiries: Ian Hobbs/Tim Nand-Lal/Debbie Westlake
Tel No: 01392 382300

<u>BACKGROUND PAPER</u>	<u>DATE</u>	<u>FILE REFERENCE</u>
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Market Sufficiency Actions 2020/21

Care Homes

Action	Activities	Impact	Timescale
Reassessment of demand profiles.	<p>Review placement activity and analyse trends over past 6-12 months to inform demand profiles at locality level and in preparation for winter pressures.</p> <p>Link with systemwide CCG demand and capacity work to establish shared view of capacity and future demand requirements.</p>	Demand understood resulting in an informed market development strategy and plan.	Middle of September 2020
Preparation of a Market Development Plan to address winter pressures and longer-term rebalancing of the market	<p>Care home stratification to understand business critical homes.</p> <p>Develop market sufficiency dashboard to include close monitoring of vacancies and gaps in provision.</p> <p>Identify and support homes declaring high numbers of vacancies to maintain or address business viability.</p> <p>Provider assessment and development plan drafted and implemented.</p>	Developed and supported market; any requirement for continued provider relief/support understood; capacity to support need maintained; barriers to admissions removed; provider failure averted.	<p>Stratification / sufficiency dashboard complete early/mid September 2020</p> <p>Market development plan – end of September 2020</p>
Maintaining flow	Continuing the discharge to assess (D2A) and trusted assessor model as per the	Responsive, timely and	In train.

Action	Activities	Impact	Timescale
through the hospital system	<p>government's ‘Hospital Discharge Service: Policy and Operating Model, updated 21/08/20.</p> <p>Reviewing and where possible improving the Bed Bureau approach for hospital discharges.</p> <p>Maintaining and building market capacity to ensure sufficient supply on discharge.</p>	prioritised discharges; capacity within the entire market utilised.	September 2020 for the new D2A arrangements.
Supporting on -going infection control measures	<p>Action plan to support ‘at risk’ providers as identified via the DHSC infection control fund process.</p> <p>Continued Provider engagement and support via care home support meetings and webinars.</p> <p>Infection control support and training.</p> <p>Restore 2 training. C19 weekly huddle process to further identify and support at risk providers.</p>	A supported market more able and equipped to prevent and/or manage infections and to promptly recognise and respond to any deterioration to the condition of residents.	<p>On-going.</p> <p>The action plan to support providers is in train, to be completed ASAP.</p> <p>Infection control support and training – in train; planning for this to be an ongoing offer.</p> <p>Restore 2 training offer – October 2020</p> <p>Infection control and provider risk datasets will continue to be monitored and providers supported as required.</p>
Increasing capacity for people over 65 with complex mental health	Develop care pathway and local escalation plan for complex care placements.	Timely discharges from hospital for complex placements. Clear provider development	<p>Pathway - September 2020</p> <p>Market development –</p>

Action	Activities	Impact	Timescale
needs	Task and finish group to work with care homes wanting to expand their current offer and develop different delivery models to support people with more complex mental health needs.	plan to increase market capacity for people over 65 with complex mental health needs.	September 2020 to December 2020
Reviewing capacity for people under 65 with complex need, physical disabilities and behaviour which challenge services.	Care home stratification to understand capacity and business critical homes for people under 65 with complex needs. Identify homes able to expand their current offer and support more complex people.	Understood market; clear fit for purpose development plan.	October / November 2020
Facilitating the Nursing Associate Apprenticeship Scheme, alongside other workforce initiatives in partnership with the NHS	Re-launch 2 nd nursing associate programme for additional 10-15 candidates. Routine monitoring and responsiveness to the care home workforce data available on the Capacity Tracker. A more targeted proud to care approach to areas of market sufficiency and high turnaround of staff.	Improved recruitment in the sector, resulting in increased capacity.	On-going

Regulated (domiciliary) Personal Care

Action	Activities	Impact	Timescale
Increasing workforce capacity	Embedding improved Terms and Conditions	Improved recruitment and retention. Target to reduce awaiting care numbers.	Immediate, with reduction in awaiting care numbers by end march 2021

Action	Activities	Impact	Timescale
Reassessing demand profiles and preparing for winter	Understand new flow patterns through hospital discharge; Prepare winter plans	Revise demand pattern and help providers to adapt; Improve connectivity with our short-term offer; Localised plans and market action	Updated demand assessment by mid September; Winter Plans by end August; Local market strategies by end September
Continuing action to reduce the numbers of people waiting for care	Efficiency measures; whole system action	Better manage flow, review waiting list and seek alternative solutions; target localised solutions	Actions are already being taken and will be on-going
Building on our investment in the care workforce	Embed and monitor action to improve pay and conditions through contract variations	Strengthen the skill base, improve retention and boost recruitment	Contract variations embedded by end October
Phasing out agency staffing, subject to market response and needs over Winter.	Replace agency contract with new local market solutions	Reduce cost and redirect current investment into more sustainable local market solutions.	Agency phased out by end November
Planning for future arrangements for the Living Well At Home contract after July 2021	Initiate discussions with partners in context of local place-based commissioning	New model of delivery with potential for efficiencies	Initiate Autumn 2020. Complete by July 2021

Replacement Care

Action	Activities	Impact	Timescale
Invitation to providers to join a list of services offering replacement care	Development of list Streamlining of process	First countywide list, optimising potential and a basis for market development	Offer by 31 August 2020, operational from 31 October 2020
Market Development Plan to build resilience across Devon	Market analysis, provider engagement, service design and redesign	Improved capacity and choice and control for carers and cared-for persons	31 March 2021 (initial) 31 March 2022 (complete)
A focus on innovation, informed by the ideas and needs of unpaid carers	Needs analysis, survey of OLAs, option appraisal and market development	Increase supply and remodel existing options	31 March 2021 (initial) 31 March 2022 (complete)
Consideration of the potential for host family and live-in care	Use needs and market-analysis to build options appraisal	Potential new model of support	31 March 2021

Day Opportunities

Action	Activities	Impact	Timescale
Deliver financial and other support to day opportunities providers.	Risk assess all reopening plans, 1:1 with providers	Allows time for provider to safely re-open, adapt or close in a managed way	Through to 30th September 2020
Work with any providers under threat of closure	Open book exercise and support to rethink futures	Costed options allow lowest impact decisions to be understood and agreed	Resolve all provider plans by 30th September 2020
Pre-empt & identify emerging changes and challenges to the overall market at an early	Maintain fortnightly provider engagement discussion group	Quick responses to such issues as transport, PPE, restructures, & reduced capacity	Maintain until April 2021, then review.

Action	Activities	Impact	Timescale
enough stage to mitigate risks			
Work with Community Teams to address significant changes in client need and increased costs	Develop risk profiles for each team, and share/discuss with local managers	Plan operational team capacity to review service users and plan for local solutions	Maintain until April 2021, then review.
Opening the Supporting Independence framework (August 2020)	Invitation to new providers, and allow market price revision	Will allow existing market to reflect new post covid service costs and manage future sustainability	New prices take effect from 1 April 2021 until contract expiry at March 2022
Plan future commissioning arrangements from contract expiry at March 2022	Develop business cases and appraise options	Publish new commissioning intentions	Business case by October 2020

Supported living

Action	Activities	Impact	Timescale
Ensuring appropriate staffing levels, especially when staff work across various properties, to reduce risk of Covid transmission between settings	<p>Implementation of the Infection Control grants enabling providers to manage staffing across their provision.</p> <p>Working with Proud to Care ensuring providers access support as required</p>	Fewer COVID cases and other infections as well as improved staff retention	On-going

<p>Enhancing training, technology and other support to mitigate infection control risks</p>	<p>Implementation of the Infection Control grants enabling providers to improve their IT capability.</p> <p>Implementation of our DCC TEC strategy</p> <p>New ways of working to make better use of technology and reduce the face to face meetings.</p>	<p>Improved mental health support, reducing hand-backs of clients with behaviours that challenge services and more effectively trained staff</p>	<p>Now and on-going</p>
<p>Developing specialist capability with providers to match crisis support needs, complex behaviour needs and transition support.</p>	<p>Housing with Support Development Project which includes the provision of support crisis in the housing pathway</p>	<p>Mitigates the risk of unplanned moves to different settings e.g. Care homes, Secure units and homelessness</p> <p>Provides therapeutic interventions to treat episodes of crisis and prevent increasing escalation</p>	<p>Now and on-going</p>

<p>Work with providers to:</p> <ul style="list-style-type: none"> • prevent hospital re-admissions and support people leaving hospital • reduce the number of out of county placements • increase the number of providers taking new placements out of office hours • increase resilience and develop strong business continuity plans • to develop skills within their businesses to meet specialist needs including mental health, autism and complex needs 	<p>Implemented through a range of actions identified in the Housing with Support Development Project which align with Transforming Care objectives for system wide improvements</p>	<p>Reduction in in placement breakdowns, hospital admissions and out of county placements</p>	<p>Now and on-going</p>
<p>Work with District Councils and landlords to improve the supply of appropriate accommodation options.</p>	<p>Shared local intelligence to inform planning Define contractual (tenancy) arrangements Includes Extra Care Housing</p>	<p>Increased supply of housing matched to a range of needs Separates accommodation from care and support provision</p>	<p>On-going</p>

Proposed Extension of Shared Services Arrangement for Trading Standards

Report of the Head of Economy, Enterprise and Skills

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendations:

- (a) that approval be given to the proposed renewal of the current shared Trading Standards Service arrangement with Somerset County Council and Torbay Council for a ten-year period starting from 01 April 2021;
- (b) that approval be given to the proposed extension of the current shared service arrangement with Somerset County Council and Torbay Council for delivery of the Trading Standards Service to also include Plymouth City Council;
- (c) that accordingly the Council approve the discharge of Plymouth City Council's Trading Standards functions as identified in paragraph 4 and Appendix 1 of this Report in accordance with s101 of the Local Government Act 1972 to be delegated to Devon County Council, recognising and accepting also (i) responsibility for the specific delegations made to Devon County Council to support the transfer of the Relevant Functions, and (ii) the need to extend the membership of the Trading Standards Joint Service Review Panel to include representatives of Plymouth City Council;
- (d) that the Head of Economy, Enterprise & Skills be authorised to finalise and agree / amend the share service agreements with Somerset County Council, Plymouth City Council, and Torbay Council, and any other appropriate legal and financial agreements with Somerset County Council, Plymouth City Council, and Torbay Council in order for the proposed services to be provided by Devon County Council.

1. Summary

This report summarises a proposal for a renewal of the Legal Agreement to the joint Devon County Council, Somerset County Council & Torbay Council Shared Trading Standards Service for 10 years from 01 April 2021. It also proposes an extension of the Joint Service to include Plymouth City Council. The Full Business Case can be made available on request.

The report asks for approval in principle of the renewal and extension of the Joint Service Legal Agreement, subject to oversight of the final Legal Agreement by the Joint Service Review Panel.

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The previous Somerset agreement was approved pursuant to Minute 200 of the County Council, 24 April 2013 and the Torbay agreement pursuant to County Council Minute 98, 27 April 2017.

2. Background

On 1 May 2013, Devon County Council formally entered into a shared service agreement with Somerset County Council for the provision of a joint Trading Standards Service. Devon County Council agreed to host the Joint Service and the ex-Somerset staff transferred across under TUPE arrangements. On 1 May 2017, the shared service agreement was extended to include Torbay Council and the ex-Torbay staff also transferred across under TUPE arrangements

The Joint Service has widely been held to be a success with regular reports to the Joint Service Review Panel (created as a cross-council governance group) and attendance at a number of Scrutiny Committees for both Councils.

The four authorities involved in the proposals presented in this report, like many others nationally, face similar challenges in ensuring that their regulatory services continue to meet customer needs at a time of significant financial pressure, regulatory change and increasing demand and expectations. One of the objectives of the Joint Service was to develop the capability to respond to possible changes in role, scope or budget by expanding the scope of the service either geographically and/or by broadening the range of functions within its remit.

During the financial year 2019/2020, discussions were initiated between the Devon, Somerset, Torbay and Plymouth councils and an initial report was submitted to relevant Members of each Authority. In Devon, an Outline Business Case was presented to Councillor Rufus Gilbert, Cabinet Member for Community and Environmental Services. A Heads of Terms was agreed with the Joint Service Review Panel (JSRP) and signed by the Authorised Representative (senior officer representative on JSRP) in each Council.

It was agreed that the project should proceed to the completion of a Full Business Case in respect of the proposal and project governance has been through the Joint Service Review Panel.

3. The Current Arrangements

The current Joint Service is predominantly funded through partner contributions established initially by a comparison of the individual budget ratios per capita, per business and per consumer complaint. Future contributions are then set annually against these ratios and adjusted to include inflationary pay increases. Provision is made for the sharing of any redundancy or exceptional costs. Any underspend or excess income is paid back to partner authorities according to the same ratio weighting.

A comparison of the type of activities covered by Devon, Somerset & Torbay Trading Standards Service and the Plymouth Trading Standards Team has shown that there is a significant alignment between the priorities of the two services. The main exception to this is Animal Health and Agriculture work which is a key activity overall for Devon, Somerset & Torbay Trading Standards Service (DST TSS) but understandably requires far less resource in Plymouth. Other differences of note are that Plymouth City Council would retain responsibilities for petroleum and explosives

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licensing, safety of sportsgrounds and simple food standards work (more complex food standards issues would be referred to the new joint service where the expertise in this area of work would sit). These latter differences are due to the fact that in Plymouth City Council the activities are currently carried out by other teams such as Environmental Health.

After making an adjustment for Animal Health, Agriculture and the other activities retained by Plymouth City Council then the budgets and staffing levels are broadly in line with the customer (population and business) base of the two services. In respect of ICT, both services currently use the same main operational database and reporting system. Consequently, the merging of data and standardisation of system usage will be easier in the future.

In reviewing the proposed shared service, a prime consideration has been the Government's promotion of collaborative approaches. As funding streams to local authorities reduce, it is essential to identify more efficient and cost-effective ways of providing services. Delivery of certain trading standards functions has always benefited from working on a larger scale; providing the resource base and the flexibility to deal with complex investigations or emergency situations, allowing for the range of specialist expertise needed to cover the broad range of functions within its remit and having the necessary "clout" to tackle major organisations.

Business Support is a key function for both current Services. However, the resources required to deliver this are offset to some degree by the generation of income through the commercialisation of certain activities and the opportunities to apply for central government grant funding providing the service has the requisite specialist expertise. In DST TSS a significant amount of income is generated to support its base budget, in the financial year 2019/2020 this was 21% (as calculated for Association of Chief Trading Standards Officers Impacts & Outcomes report 2019/20). For Plymouth Trading Standards Service (PTSS) the equivalent figure was 9%. It is believed that the proposed combination of resources will allow further development of these activities, particularly in the more densely business populated urban area of Plymouth. The alignment of business support activities across the Heart of the South West, Local Enterprise Area is also felt to be a significant advantage not only making delivery easier and more cost effective but also improving consistency and accessibility of support and advice for businesses.

4. The Proposed Arrangements

It is proposed that the joint Trading Standards Service covering Devon, Somerset and Torbay be extended to include Plymouth. As Devon County Council is the current employing organisation, it is proposed that Plymouth staff, 8.29 FTEs (9 individuals) TUPE transfer to Devon County Council, on 01 April 2021

It is also proposed that the current contract between Devon, Somerset and Torbay be renewed for a further 10-year period, to take effect from 01 April 2021.

The functions to be transferred across from each partner authority to Devon County Council are listed in Appendix 1 to this report. They vary slightly due to the different existing structures currently in place for delivery of regulatory services within the two Unitary Councils.

The funding arrangements would remain similar to those currently in place but adjusted to include PTSS. The Joint Service Review Panel has given consideration to the length of time over which future budgets for the Joint Service should be set

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and has agreed that 3 years was an appropriate length of time. This balances the need for a degree of operational stability whilst ensuring that the Service can still effectively respond to uncertain funding pressures in the future. This funding set-up is not unique and longer-term budgets have been set for other “arms-length” local authority delivery models.

The Joint Service will maintain its current offices in Devon, Somerset and Torbay and will also retain a presence in Plymouth; in order to be close to its customers, to ensure it can respond quickly to any urgent matters, to minimise travel costs and to minimise disruption to staff. It is not anticipated that any staff will be required to relocate as part of the merger.

The Plymouth staff would move into the existing Devon, Somerset and Torbay team structure: no redundancies are proposed as a direct result of this merger.

Although the extension of the Joint Service is not predicated on a reduction in costs, the local authorities involved will all have or be setting medium term financial plans (MTFP) in place. It is anticipated that the Joint Service approach could more efficiently deliver any savings required whilst still maintaining an acceptable level of service. It is extremely unlikely that any significant level of saving could be achieved by the services operating individually, without impacting significantly on front-line service delivery and the ability to continue to meet statutory requirements and customer needs.

Non-financial benefits from a shared service will include:

- greater resilience in the combined service in respect of service delivery, professional expertise and knowledge and the ability to respond to major incidents
- “greater clout” in tackling major investigations
- improved intelligence sharing
- economies of scale from shared expertise and an opportunity to develop greater specialisms; to more effectively service the communities of Devon, Somerset, Torbay and Plymouth whilst still maintaining local responsiveness, choice and identity
- maintaining achievement of key outcomes in the face of any reduced budget over the next three years
- maintaining the ability of all four councils to fulfil statutory obligations
- an easily accessible and consistent approach for those businesses that cover the Heart of the South West Local Enterprise Partnership area
- greater efficiency in training and maintenance of staff competencies.

It is also envisaged that this might be the starting point for further opportunities to provide managed services or commissioned activities for other authorities in the south west region.

The Joint Service Review Panel, in its advisory capacity to Devon, Somerset and Torbay Councils, has considered the Full Business Case and recommended that approval be given to the proposed extension of the current shared service arrangement for Trading Standards.

As in 2013 and 2017 the approval of the full Council will also be required to transfer these trading standard functions to be discharged by Devon County Council.

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Subject to Cabinet's approval of the Recommendations in this Report, full Council approval to the transfer of these trading standards functions will be sought on 01 October 2020.

5. Consultations/Representations

Staff members have been kept informed throughout. Formal consultation with Unions and relevant staff members of each Authority has been undertaken.

Key external stakeholders have also been consulted.

6. Financial Considerations

The current Shared Service has a gross budget of £3.7m with 72.4 full time equivalent staff. The Plymouth service will add in the region of £0.4m and 8.29 staff to the arrangement.

Some financial savings are anticipated in the first year which will cover the costs of the integration of the ICT data systems, more closely align working practices and developing future income streams. There is then the potential to deliver savings in future years, mostly relating to increased income recovery over the remainder of the contract. The use of the savings will be balanced with the need to invest in regulatory change against the savings requirements for each partner authority. Further details are available in the Full Business Case.

The terms of savings and extraordinary cost sharing is set out in the contract and on an agreed % basis similar to the current Devon, Somerset and Torbay arrangement.

No VAT risks have been identified.

The staff that TUPE across will continue to participate in the Devon LGPS scheme albeit as employees of DCC rather than Plymouth. There will be no impact on the pension funding arrangements for either authority.

No assets will transfer.

7. Environmental Impact Considerations (including Climate Change)

No significant impact identified.

8. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/

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new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular proposal an Impact Assessment has been undertaken as part of the full business case, as was the case with the Devon and Somerset joint service arrangements. This has been circulated separately to Cabinet Members and also is available on the Council's website at

<https://www.devon.gov.uk/impact/tradingstandards-sharedservices-extension/>, which Members will need to consider for the purposes of this item.

No significant equality impact has been identified.

9. Legal Considerations

The lawful implications of the proposed course of action have been considered and taken into account in the preparation of this report. Section 101 of the Local Government Act 1972 provides that two or more local authorities may discharge any of their functions jointly, where arrangements are in force for them to do so.

10. Risk Management Considerations

A risk assessment of the proposal has been undertaken and is set out in Section 6 of the Full Business Case. All necessary actions have been taken to safeguard the Council's position. Such actions will minimise the potential adverse impact in these areas and the overall risk is not felt to be significant.

11. Public Health Impact

Due to a greater resource base and opportunities to specialise and develop expertise, a Joint Service will be more readily able to contribute to the Public Health Agenda.

12. Options/Alternatives

There are specific legal and logistical difficulties in the outsourcing of local authority regulatory services to the private sector. These along with the option to continue with separate services were considered at the Outline Business Case stage. In the case of the latter option, this was rejected on the basis that the net benefits of a Joint Service significantly outweighed those of separate services. The Full Business Case confirms this.

13. Reason for Recommendation/Conclusion

This report recommends extending the full shared service arrangement with Somerset and Torbay Councils for a further 10 years from the 01 April 2021. It also recommends extending the arrangement to include Plymouth City Council from the same date and for the same period of time. Once the immediate period of forming the new Service is bridged, it is anticipated that there will be significant benefits,

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both financial and non-financial, to all four local authorities, to officers, other direct stakeholders and the wider community.

Both serving Heads of Trading Standards (for Devon, Somerset & Torbay and for Plymouth) are of the opinion that the current Services are relatively well matched in terms of pro-rata resources and believe that the financial and non-financial benefits of extending overall capacity and of mirroring the geographical footprint of the Heart of the South West Local Enterprise Partnership significantly outweigh any dis-benefits and set-up costs.

In addition, the proposed approach is wholly consistent with Government thinking. It places the Joint Service in a strong strategic position within the South West region as a centre of excellence for business support. It has the potential to realise further savings and generate greater income and represents a pragmatic approach to cost efficiencies and maximising scarce staff resources.

Keri Denton
Head of Economy, Enterprise and Skills

Electoral Divisions: All

Cabinet Member for Economy and Skills: Councillor Rufus Gilbert

Chief Officer for Communities, Public Health, Environment and Prosperity: Dr Virginia Pearson

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Paul Thomas

Tel No: 01392 383000 Room: L20, County Hall, Exeter. EX2 4QD

Background Paper	Date	File Reference
Trading Standards Joint Service Full Business Case	September 2020	PT
Equality Impact Assessment	September 2020	

pt210820cab Proposed Extension of Shared Services Arrangements for Trading Standards Final

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Appendix 1 – Legislation enforced by Trading Standards and to be discharged by DCC unless otherwise stated

* denotes functions to be retained by PCC

**denotes functions to be retained by PCC and TC

N.B. Enforcement of Food Safety legislation will be shared in line with the current Food Law Code of Practice (England) (see <https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice>) with the Trading Standards Service acting as if a “County Council Competent Authority” in a two-tier local Authority area, with the exception that in Plymouth City Councils’ area the conduct of routine risk based inspections under Food Safety law will be retained by PCC. This does not include targeted sampling programmes.

Accommodation Agencies Act 1953

Administration of Justice Acts 1970 and 1985

Agriculture Act 1970

Agriculture (Misc. Provisions) Act 1968

Animal Health Acts 1981 and 2002

Animal Health & Welfare Act 1984

Animal Welfare Act 2006

Animals Act 1971

Anti-Social Behaviour Act 2003

Architects Act 1997

Business Protection from Misleading Marketing Regulations 2008

Cancer Act 1939

Charities Acts 1992 & 2006

Children and Young Persons Act 1933

Children & Young Persons (Protection from Tobacco) Act 1991

Clean Air Act 1993

Companies Acts 1985 and 2006

Companies Directors Disqualification Act 1986

Companies (Trading Disclosures) Regulations 2008

Consumer Contracts (Information, Cancellation & Additional Charges) Regulations 2013

Consumer Credit Acts 1974 and 2006

Consumer Protection Act 1987

Consumer Protection from Unfair Trading Regulations 2008

Consumer Rights Act 2015

Consumers, Estate Agents & Redress Act 2007

Control of Pollution Act 1974

Copyright, Designs and Patents Act 1988

Courts and Legal Services Act 1990

Crime & Disorder Act 1988

Criminal Attempts Act 1981

Criminal Justice Act 1988

Criminal Justice & Police Act 2001

Criminal Law Act 1977

Crossbows Act 1987

Customs and Excise Management Act 1979

Development of Tourism Act 1969

Dogs Act 1906

Dogs (Amendment) Act 1928

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Education Reform Act 1988
Employment Agencies Act 1973
Energy Act 1976
Energy Conservation Acts 1981 and 1996
Energy Efficiency (Private rented Property) (England and Wales) Regulations 2015
Energy Performance of Buildings (England and Wales) Regulations 2012
Enterprise Act 2002
Environmental Protection Act 1990
Estate Agents Act 1979
**Explosives Acts 1875 and 1923
Explosives (Age of Purchase) Act 1976
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
**Fire & Safety and Places of Sport Act 1987
**Fireworks Acts 1951, 1964 and 2003
Food & Environment Protection Act 1985
Food Safety Act 1990
Forgery & Counterfeiting Act 1981
Fraud Act 2006
Gambling Act 2005
Hallmarking Act 1973
Health and Safety at Work Etc., Act 1974
Housing Act 2004
Health Protection (Coronavirus, Restrictions) (No2) (England) Regulations 2020 and
the Health Protection (Coronavirus, Restrictions) (No3) (England) Regulations 2020
Housing Act 2004
Housing and Planning Act 2016
Insolvency Act 1986
Intellectual Property Act 2014
Intoxicating Substances (Supply) Act 1985
Knives Act 1997
Legal Services Act 2007
Licensing Act 2003
Magistrates Courts Act 1980
Malicious Communications Act 1988
Medicines Act 1968
Motor Cycle Noise Act 1987
Motor Vehicles (Safety Equipment for Children) Act 1991
Offshore Safety Act 1992
Olympic Symbol etc., (Protection) Act 1995
Package Travel, Package Holidays and Package Tours Regulations 1992
Pesticides (Fees & Enforcement) Act 1989
*Petroleum (Consolidation) Regulations 2014
Poisons Act 1972
Prices Acts 1974
Proceeds of Crime Act 2002
Protection from Harassment Act 1997
Protection of Animals Act 1911
Psychoactive Substances Act 2016
*Public Health Act 1961 (S73)
Registered Designs Act 1949
Regulatory Enforcement & Sanctions Act 2008
Road Traffic Acts 1988 and 1991
Road Traffic (Consequential Provisions) Act 1988

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Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Offenders Act 1988
**Safety of Sports Ground Act 1975
Scotch Whisky Act 1988
Solicitors Act 1974
Telecommunications Act 1984
Tenant Fees Act 2019
Theft Acts 1968 & 1978
Theft (Amendment) Act 1996
Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010
Tobacco Advertising & Promotion Act 2002
Tobacco Products Duty Act 1979
Trade Descriptions Act 1968
Trade Marks Act 1994
Trading Representations (Disabled Persons) Acts 1958 & 1972
Trading Schemes Act 1996
Unsolicited Goods and Services Act 1971
Unsolicited Goods and Services (Amendment) Act 1975
Video Recordings Acts 1984 & 2010
Weights and Measures etc., Act 1976
Weights and Measures Act 1985
Welfare of Animals at Slaughter Act 1991

And all relevant legislation made under the European Communities Act 1972 and Reenabled by the European Union (Withdrawal Agreement) Act 2020 including (inter alia):

Animal By-Products (Enforcement) (England) Regulations 2013
Animal Feed (Composition, Marketing and Use) (England) Regulations 2015
Animal Feed (Hygiene, Sampling etc. and Enforcement) (England) Regulations 2015
Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013
Condensed Milk and Dried Milk (England) Regulations 2015
Contaminants in Food (England) Regulations 2013
Electromagnetic Compatibility Regulations 2006
Fish Labelling Regulations 2013
Food for Particular Nutritional Uses (Addition of Substances for Specific Nutritional Purposes) (England) Regulations 2009
Food for Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Compositional Requirements) (Amendment etc.) (England) Regulations 2020
Food Information Regulations 2014
Food Safety and Hygiene (England) Regulations 2013
Fruit Juices and Fruit Nectars Regulations 2013
Materials and Articles in Contact with Food (England) regulations 2012
Organic Products Regulations 2009
Personal Protective Equipment (Enforcement) Regulations 2018
Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011
Pressure Equipment Regulations 1999
Pyrotechnic Articles (Safety) Regulations 2015
Radio Equipment and Telecommunications Terminal Equipment Regulations 2000
Recreational Craft Regulations 2004
Simple Pressure Vessels (Safety) Regulations 1991

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Spirit Drinks Regulations 2008

Supply of Machinery (Safety) Regulations 2008

Transmissible Spongiform Encephalopathies (England) Regulations 2018

And any legislation made amending or re-enacting or extending the same or any other legislation relating to Trading Standards and/or weights and measures functions of local authorities

Assessment of: **Creation of a Joint Trading Standards Service across Devon, Somerset, Torbay and Plymouth areas**

Service: **Devon, Somerset and Torbay Trading Standards**

Head of Service: **Paul Thomas**

Version / date of sign off by Head of Service: **Version 1 26/8/2020**

Assessment carried out by (job title): **Richard Styles - Team Manager, Devon, Somerset and Torbay Trading Standards**

1. Description of project / service / activity / policy under review

The creation of a Trading Standards Joint Service arrangement, whereby Devon County Council (DCC) delivers the Trading Standards functions for Somerset (SCC), Torbay (TC) and Plymouth Councils (PCC), subject to the agreement and signing by the parties, of a detailed legally binding formal agreement, pursuant to Section 101 of the Local Government Act 1972.

2. Reason for change / review

The four authorities face similar challenges in ensuring that their services continue to meet customer needs at a time of significant financial pressure, regulatory change and increasing demand and expectations. Each of the four authorities is engaged in reviewing all service delivery areas under programmes of change designed to deliver new operating models.

In May 2013, Devon County Council (DCC) and Somerset County Council (SCC) formed a single service, known as the Devon and Somerset Trading Standards Service to cover the local authority areas of Devon and Somerset. This agreement enables Devon to discharge Somerset's Trading Standards functions under Section 101 of the Local Government Act 1972 and the Somerset staff transferred across to DCC under a "TUPE" agreement.

The initial agreement with SCC was for a period of 10 years and when Torbay joined to form Devon, Somerset and Torbay Trading Standards Service on 01 May 2017, the agreement was for a period which brought it into line with the termination date of the agreement with SCC (so that renewal of a tri-partite arrangement could be considered simultaneously). An umbrella agreement, between all three councils, sat above this to ensure that a full, tri-partite joint service was created.

Plymouth City Council are now engaged in formal discussions with the other three councils with regards to forming a four-council joint service, which would then cover all of the Heart of the South West Local Enterprise Partnership (HotSW) geographical area.

As all the current agreements are due to expire on 30 April 2023, it is proposed that, rather than introducing further interim agreements to incorporate Plymouth, a new, single legal agreement is negotiated between the four councils. It is proposed that this would be for an initial period of 10 years, with appropriate provisions in place to both enable the agreement to be terminated early or to be extended beyond the initial 10 years.

3. Aims / objectives, limitations and options going forwards (summary)

The key objectives of the proposed expanded Joint Service are to:

- Provide a single, standardised, outcome focussed Trading Standards Service across all the Authorities,

- To provide a more flexible and resilient service which is able to accommodate future changes more readily (in role, legislation, scope or budget) and provide improved career development opportunities for staff;
- To effectively meet statutory requirements and potentially enhance elements of the service (for example through greater specialisation);
- To deliver a better customer experience;
- To deliver an initial and ongoing financial saving for the parties.

The option to continue with separate services was considered and it was felt that the net benefits of a joint service significantly outweighed those of separate services.

Staff, elected member, partner and key stakeholder engagement has been undertaken in developing the Full Business Case and this supports the above view.

At the formation of the initial Joint Service between DCC and SCC, one of the core objectives was the provision of a framework which would allow for further expanding the scope of the service either geographically and/or by broadening the range of functions within its remit. This would potentially allow for a sustainable model of service delivery at a time of significant financial pressure on regulatory services. The opportunity for expansion through working with Plymouth would help develop and promote that objective. It would also create a joint regulatory service with the same geographical footprint as the Heart of the South West, Local Enterprise Partnership, facilitating a comprehensive business support service closely linked to the Growth Hub and other linked programmes.

It is also felt that there might be further opportunities to provide managed services or commissioned services for a number of other authorities in the South West region.

The governance approach (for DCC to discharge the functions of PCC under s101 and of the Local Government Act agreement) was chosen for the following reasons:

- A proven model widely viewed as successful.
- Low implementation cost.

- Effectively meets the objectives of the Joint Service.
- Legally robust (not least because of the nature of the prosecutions undertaken by Trading Standards which often carry custodial sentences).
- Ensured an appropriate level of governance without risking either a lack of local control or an unnecessary burden of cost and time.

Consideration was given to the length of time over which budgets for the joint service should be set. The Joint Service Review Panel agreed that 3 years was an appropriate length of time. This balances the need for a degree of operational stability whilst ensuring that the Service can still effectively respond to uncertain funding pressures in the future. This funding set-up is not unique and longer-term budgets have been set for other “arms-length” local authority delivery models.

Whilst uncertainty still remains on some costs, for example in relation to ICT and some other apportionments, the payback period for establishing a Joint Service (excluding pension costs) is expected to be less than one year

Page 10 40. People affected and their diversity profile

Trading Standards staff (within both DCC and PCC) will be affected. PCC staff will TUPE across to DCC. The Joint Service will maintain offices in Devon, Somerset, Torbay and Plymouth.

The Trading Standards Service serves both consumers and businesses throughout the geographic areas, with its key role being to protect consumers and to maintain a fair and equitable trading environment in which local businesses can thrive.

In the Trading Standards service, PCC currently employ 9.2 FTEs (including one vacant post) and Devon employ 65.46 FTEs. Plymouth’s service is part of the Public Protection Service along with Environmental Health & Licensing.

5. Stakeholders, their interest and potential impacts

Staff of the current Devon, Somerset and Torbay Trading Standards Service and staff of Plymouth Trading Standards. In the Trading Standards service, PCC currently employ 9.2 FTEs (including one vacant post) and Devon employ 65.46 FTEs. Plymouth's service is part of the Public Protection Service along with Environmental Health & Licensing.

Consumers and businesses across the geographic areas covered by the proposed joint Service. Businesses and consumers across the current Devon, Somerset and Torbay areas are not expected to experience any adverse effects due to the proposal.

6. Research used to inform this assessment

Full details of the research carried out is within the Full Business Case.

7. Description of consultation process and outcomes

Extensive consultation has been undertaken in developing the full business case. This includes DST TSS and PCC TSS staff, who have been involved from the very outset. A formal TUPE consultation will be undertaken with PCC staff commencing as soon as PCC Cabinet has agreed in principle to the Joint Service. Recognised Trade Unions have been appropriately involved. Staff views across both current services have helped inform the development of this proposal, and no significant issues have arisen from the staff consultation.

Members have been consulted through appropriate governance processes, including JSRP review of both the outline business case and the full business case. In addition, members in each of the councils will be involved in the formal agreement process.

The Duty to Consult under the Best Value Statutory Guidance has been fully met. A wide consultation was undertaken with those who use or are likely to use the services provided by the authority, those who have an interest in the area within which the functions are carried out (including local voluntary and community organisations and small business organisations). This closed on 26 June 2020. Over 50 such local, regional and national bodies were written to, including local business associations, national government agencies, the Police, non-governmental consumer groups and advice agencies (e.g. CABx). All responses received were positive.

8. Equality analysis

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

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A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).

- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
 - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
 - Proportionate (negative impacts are proportionate to the aims of the policy decision)
 - Fair
 - Necessary
 - Reasonable, and
 - Those affected have been adequately consulted.

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>All residents (include generic equality provisions)</p>	<p>No negative impacts anticipated from this proposal</p>	<p>All residents will retain locally based staff in their areas, and be able to make contact via the current routes. The overall service will be able to draw on a wider pool of skills and knowledge across the whole area, enabling a more effective service to the public.</p> <p>We will draw on best practice from across the areas, thereby enhancing provision to all residents.</p>
<p>Age</p>	<p>No negative impacts anticipated from this proposal</p>	
<p>Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people</p>	<p>No negative impacts anticipated from this proposal</p>	<p>The joint service will have greater resources to create and provide advice materials in alternative formats such as Easy Read, thereby making advice more accessible.</p> <p>Current work plans include promotion of mental health, for example a current project to support the mental health and wellbeing of the farming community. It is anticipated that projects such as this would be rolled out over the whole joint service area.</p>

Characteristics	Potential or actual issues for this group. [Please refer to the Diversity Guide and See RED]	<p>In what way will you:</p> <ul style="list-style-type: none"> eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim? Are you complying with the DCC Equality Policy?</p>
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin colour, religion and belief	No negative impacts anticipated from this proposal	
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	Not relevant to this proposal	
Sexual orientation and marriage/civil partnership	Not relevant to this proposal	

DCC

<p>Characteristics</p>	<p>Potential or actual issues for this group.</p> <p>[Please refer to the Diversity Guide and See RED]</p>	<p>In what way will you:</p> <ul style="list-style-type: none"> • eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary. • advance equality (to meet needs/ensure access, encourage participation, make adjustments for disabled people, 'close gaps'), if possible. • foster good relations between groups (tackled prejudice and promoted understanding), if relevant? <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the DCC Equality Policy?</p>
<p>Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access to transport options, rural/urban</p>	<p>No negative impacts anticipated from this proposal</p>	

9. Human rights considerations:

No adverse human rights impacts are anticipated from the proposal. Trading Standards already complies with human rights considerations and legislation through its investigation and enforcement work. The proposal will not cause any changes to this current position.

10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

The current Joint Service already provides a wide range of advice and support to both businesses and consumers across the current area, enabling consumers to be empowered as to their legal rights, and enabling businesses to be well regulated, supported and thrive. The expanded Service would bring in an increased breadth of skills and knowledge, enabling an enhanced level of customer service to all stakeholders.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

These are already key aims of the current Service – which would be extended across the whole expanded area. Our work ranges from protecting the public from “rogue” doorstep traders, through to tackling mass marketing scams, preventing unsafe products from entering the market, maintaining food standards and protecting young people from underage access to products such as tobacco and alcohol.

In what way can you help people to be connected, and involved in community activities?

Trading Standards already enables a wide range of stakeholders to be connected and involved in community activities – for example by our working relationship with the Farming Community Network, and with local Chambers of Commerce. We also work with vulnerable scam victims to ensure that they receive the support that they need from partner agencies. We intend to continue with and enhance this work.

11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

Devon County Council's Environmental Review Process	
Planning Permission	
Environmental Impact Assessment	
Strategic Environmental Assessment	

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	No anticipated negative impacts	
Conserve and enhance wildlife:	No anticipated negative impacts	
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	No anticipated negative impacts	
Conserve and enhance Devon's cultural and historic heritage:	No anticipated negative impacts	
Minimise greenhouse gas emissions:	No anticipated negative impacts	
Minimise pollution (including air, land, water, light and noise):	Some potential increase in staff travel, to carry out activities across the wider joint service area. We will aim to mitigate this by local staff carrying out tasks where available and suitable qualified / experienced.	
Contribute to reducing water consumption:	No anticipated negative impacts	

Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	No anticipated negative impacts	
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12. Economic analysis

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	No anticipated impact	Combining knowledge and expertise, response abilities, and service delivery. The range and complexity of Trading Standards legislation requires a high level of professionalism and knowledge, competencies need to be maintained regardless of the size of the service. Smaller services struggle to maintain this.
Impact on employment levels:	No anticipated impact	No direct anticipated impact
Impact on local business:	No anticipated impact	<p>Providing a consistent approach across Devon, Somerset, Torbay and Plymouth, in particular for businesses that span the four local authority areas. The potential footprint of a joint service would mirror the Heart of the Southwest Local Enterprise Partnership and enable joint working with the Growth Hub and other LEP initiatives. Regulation, in particular regulatory business support, and the impact it can have on the local economy has been widely recognised and is part of the final detailed submission to MHCLG for ERDF funding for an enhanced Growth Support Programme.</p> <p>Being better able respond to exceptional demand such as in the case of major economic shock (e.g. Brexit and the current Covid-19 pandemic). These create new demands on the service in terms of business advice & support and increased market surveillance.</p>

13. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed?

What?	How?
<p>A service that can provide a better customer experience</p>	<p>Economies of scale making it possible to focus more resources on direct operational delivery. In addition, it would eliminate duplication of processes e.g. Enforcement Policies, Enforcement Concordat, regulation of Investigatory Powers Act oversight, Funding Bids, etc.</p>
	<p>Ability to better maintain locally based front-line staff and a dedicated intelligence capability (to support strategic and day to day activity) by combining management structures</p>
	<p>Ability to maintain a wide range of functional specialists supporting both business and consumer interests.</p>
	<p>Providing a consistent approach across Devon, Somerset, Torbay and Plymouth, in particular for businesses that span the four local authority areas The potential footprint of a joint service would mirror the Heart of the Southwest Local Enterprise Partnership and enable joint working with the Growth Hub and other LEP initiatives. Regulation, in particular regulatory business support, and the impact it can have on the local economy has been widely recognised and is part of the final detailed submission to MHCLG for ERDF funding for an enhanced Growth Support Programme.</p>
	<p>Through aiming to be a regional Centre of Excellence for Business Support</p>
	<p>Better alignment with our economic geography, in particular the Local Enterprise Partnership</p>
<p>A more resilient service</p>	<p>Combining knowledge and expertise, response abilities, and service delivery. The range and complexity of Trading Standards legislation requires a high level of professional and knowledge, competencies need to be maintained regardless of the size of the service. Smaller services struggle to maintain this.</p>
	<p>A larger service which is better able to meet complex (and often national) challenges and tackle, where necessary, major organisations</p>

	Greater capacity to deal with emergency situations such as an animal disease outbreak, product safety emergencies (e.g. petroleum or explosives), or loss of key officers and their specialist technical knowledge.
	Ensuring achievement of outcomes and statutory requirements when less funding is likely to be available
A more agile and flexible service	A service better positioned to respond to possible changes in role, scope or budget
	Better able respond to exceptional demand such as in the case of major economic shock (e.g. Brexit and the current Covid-19 pandemic). These create new demands on the service in terms of business advice & support and increased market surveillance.
	Exploring opportunities to generate income by charging other organisations for certain activities
A more outcome focussed service	A Service which has the capacity to monitor and measure outcomes, demonstrating the value of its activities.
	An operating model which better reflects corporate delivery policies and contributes more readily to corporate priorities.
	Unlike environmental health and licensing, which generally deal with problems on a local premises by premises basis, trading standards is much more focussed on organised criminal activity or, for more regulatory matters, on the business supply chain. Hence working across a larger geographical area has some natural advantages to achieving desired outcomes.

14. How will impacts and actions be monitored?

The work of the joint service will be discharged by DCC but jointly commissioned by DCC, SCC, TC & Plymouth Councils, ensuring that the objectives of all partner authorities are met. A Joint Service Review Panel will be established as the forum for consultation, discussion, resolution of issues and recommendations back to all parties on all aspects of delivery and strategy for the service. It will have no decision-making powers.

CSO/20/14
Cabinet
9 September 2020

NOTICES OF MOTION

Report of the County Solicitor

Recommendation: that consideration be given to any recommendations to be made to the County Council in respect of the Notices of Motion set out hereunder having regard to the relevant factual briefing/background papers and any other representations made to the Cabinet.

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The Notices of Motion submitted to the County Council by the Councillors shown below have been referred to the Cabinet in accordance with Standing Order 8(2) - for consideration, reference to another committee or to make a recommendation back to the Council.

A factual 'Briefing Note/Position Statement' prepared by the relevant Chief Officer and / or Head of Service is also included, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Future Meetings and Commitment to Increased Virtual Meetings (Councillor Biederman)**

*'That Devon County Council make a commitment to holding more virtual meetings, briefings and task groups post Covid-19. They have clearly been very successful, have made a huge saving to the Council in budgetary terms and they also help in the Council's climate emergency aims, by reducing our carbon footprint. Council therefore asks the Procedures Committee to consider a Report on meetings in the future and what Committees, briefings and task groups could meet virtually.'*

### **Briefing Note / Position Statement from the Head of Democratic Services**

Members will be aware that prior to the COVID – 19 pandemic, Local Authorities were quite restricted in terms of how they could run Local Authority meetings.

The Local Government Act (1972) is quite clear about Councillor attendance and as such there was no legal provision in England or Northern Ireland to allow councillors to attend meetings remotely. The requirements of the Act in terms of quorum and that Member must physically be present at the meeting in order to vote on decisions or recommendations effectively rules out the possibility of holding meetings remotely in England.

# Agenda Item 11

Despite a number of representations being made and lobbying of the Department for Communities and Local Government to amend the legislation, nothing has changed therefore allowing Members to attend virtually is not permitted.

Earlier this year, the COVID 19 pandemic prevented gatherings, socialising and meetings, particularly when the Country was asked by the Prime Minister to enter into a national lockdown. On the 4<sup>th</sup> April, Local Authorities received the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 meetings regulations which for the first time permitted remote attendance at formal meetings of the Authority.

The Regulations apply to local authority meetings (and police and crime panel meetings) that are required to be held, or held, before 7th May 2021.

Whilst the regulations give a number of concessions for example relating to the frequency of meetings, the requirement to hold annual meetings and the need to publish copies of agenda in Council offices (with the website being sufficient), they are still very clear on access of both the public and press to the meeting. They also do not dilute the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in terms of the need to publish key decisions, general exception and cases of special urgency.

The Regulations state that a meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place. The reference to a “place” includes reference to more than one place including electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

A Member ‘in remote attendance’ can attend the meeting as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting. The regulations would prefer a visual solution, but audio is sufficient.

This also relates to members of the public attending the meeting being heard, but preferably seen.

Members will be familiar with the Meeting Protocol that this Council prepared to demonstrate how meetings would operate using the technology of Microsoft Teams and linking this with current Standing Orders. The most important aspect of the Protocol was that it was as close to current processes, Standing Orders and public participation as possible, thereby ensuring accessibility was at the forefront of this shift.

As already highlighted, Regulations are clear about the meeting being “open to the public” via any remote means (for example, video conferencing, live webcast, interactive streaming). Where a meeting is accessible through these remote means the meeting is deemed to be open to the public whether or not members of the public are able to attend the meeting in person.

As the Protocol states, Members of the public and press can be invited into the meeting to participate under public participation or can view the meeting via a live stream, with the link published on the agenda page for the meeting.

To date, the Council has conducted in the region of 25 formal remote meetings, including a full AGM. Of course, there are many other meetings that have been held virtually including Scrutiny Standing Overview Groups, Task Groups and even Virtual Communities Surgery's. There will be a full suite of Committee operating from September, with meetings only being cancelled in the event of no business, which is no different to now.

This Council undertook its first remote meeting on the 8th April (Cabinet), which was just 5 days after the Regulations were published. The Council continues to learn and the technology advances all the time, so the experience of remote meetings will continually improve. The Local Government Association took an interest and published us as one of their first case studies on their Remote Council Meetings Guidance webpages.

The Council has now committed to running remote meetings for the remainder of this year.

There are clearly savings to be made from holding remote meetings. Early indications showed a saving of £20,338 when compared to month 1 to 4 of 2019/20 on public transport, travel, catering and subsistence. However a full financial assessment will be carried out for a future Report as well as the climate change and environment impact.

## **(b) Diversity and Council Policy (Councillor Connett)**

*This notice of motion acknowledges the current situation facing underrepresented groups in Devon and seeks to support the work that is taking place UK wide to tackle racism and discrimination. Statistical data shows that individuals from Black Asian & Minority Ethnic (BAME) communities are underrepresented at every level in UK society, facing issues around social and economic mobility, and educational attainment, particularly affected by implicit racial bias and institutional racism.*

*Council recognises the contributions of individuals from BAME communities in society, business, and infrastructure across Devon both now and historically, and will not shy away from work which seeks to remove barriers, tackle prejudice and address inequality.*

*In doing so the council calls for:*

- *The review of Devon County Council's HR and Equalities practices and the inclusion of regular training for councillors and staff, to ensure the needs of under-represented groups are met through addressing poverty and encouraging economic and social mobility.*

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- *Work with Schools, Academies, Trusts and educationalists in Devon to explore the prospect of making changes the curriculum to include BAME experiences, contributions, and the FACTs of History, throughout the year.*
- *Explore the possibility of an education transformation project in conjunction with schools that creates a suite of curriculum resources specific to Devon's history.*
- *Lobby Government to invest and resource changes to the curriculum across the UK through the support of organisations such as The Black Curriculum and via associated campaigns.*
- *An advisory board put in place linked to the Equality Impact Assessment for the Covid -19 recovery plan, to connect the experiences of BAME individuals within the community with the aim of driving forward positive change.*
- *Encourage County-based organisations to contribute to diversity and social mobility through reviewing the Councillor Locality Grant criteria to ensure it can include (but not exclusively); projects that contribute to addressing inequalities and raising educational attainment within under-represented groups.*

## **Briefing Note / Position Statement from the Head of Policy**

### **Review of Council practices and inclusion of training**

The Local Government Association's **Equality Framework for Local Government** helps local councils to meet their obligations under the Equality Act 2010, including the Public Sector Equality Duties. It reflects the latest legislation affecting equality such as Gender Pay Gap reporting and is due to be updated in light of recent and continued moves to improve racial equality.

The County Council can use the LGA's framework to review its practices, as we have in the past, through self-assessment and peer challenge.

A revised Devon County Council Equality, Diversity and Inclusion Essentials e-learning course was launched in Autumn 2019 and is proving very successful. It is now mandatory for all staff to complete it when they join the authority and at least once every two years. About one third of the Council's current workforce has completed the training so far and completions are continuing on a daily basis.

HR activities will be taking place to improve our understanding of workforce diversity and address any gaps.

The election in May also provides a great opportunity to use LGA resources around recruitment of BAME candidates. Local parties/groups could consider positive action steps to improve diversity.

There are opportunities for Members to participate in training and development. Members are invited to equality training as part of their induction and ad-hoc



sessions can be provided on request. In addition to training, **online guidance** is available including a Diversity Guide and Acceptable Language Guide.

Regular community engagement with BAME and other diverse groups is also recommended for Member development purposes.

A range of community organisations in Devon work closely with BAME people including: North Devon Sunrise, Refugee Support Devon, Hikmat, Plymouth and Devon Racial Equality Council and Inclusive Exeter (formerly Exeter Communities Together). They are often happy to receive visits or be supported in other ways (volunteering, Trustees etc), although it is understandable that this may be challenging whilst the COVID-19 pandemic is ongoing. Attendance at local community festivals (of which many reverted to online this year) is also a good way of engaging with BAME communities, these include Exeter Respect Festival, Windrush Day and North Devon Diversity Festival.

## **Education and Curriculum**

We encourage Schools to review their equality policy regularly and ensure their equality objectives are set (using the Equality Impact Assessment Toolkit) and displayed clearly on their website (or published in a way that is accessible to those members of the school community and the public who want to see it).

Schools are also encouraged to articulate clear expectations and priorities which includes ensuring the school environment is free of racism and other areas of prejudice and raising the achievement of BAME pupils.

As part of our narrowing the gap work we encourage schools to achieve a successful system for improving outcomes for BAME young people in every aspect of school life this includes ensuring an inclusive culture with learning environments that value diversity and foster respect and good relations.

We can additionally

- support teacher's delivery of the new PSHE curriculum and help them prepare for for, and respond to, increased vulnerability and/or outrage that is being felt by the BAME communities using Babcock LDP and other services such as 'The global Centre' and 'Planet Rainbow'.
- Encourage Schools to access cultural awareness and race equality training, workshops and conferences offered by Babcock LDP and other organisations with a view to enabling staff to become confident in understanding and addressing systemic and unconscious bias.

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- Ensure accessible resources are available to Schools with clear signposting for further support and information.
- Encourage more BAME people into the teaching profession through the recruitment website.
- Encourage Schools to acknowledge and celebrate key events and milestones e.g.
  - Black History Month: Black History in Devon
  - GRT History Month: Devon Travellers
  - Refugee Week: Refugees in Devon
  - Ramadan & Eid: Celebrations in Devon
  - Bilingual Devon
  - Windrush Celebrations

## **Recovery Planning**

There is an opportunity to shape a future for Devon which builds on the positive impacts of the Response phase of the pandemic. The Partnership Recovery Coordination Group is ensuring that the impacts of the recovery planning work on equality, health & wellbeing, the economy and the environment are assessed. A sub-group, including Equality, Public Health and Smarter Devon staff, has been established to coordinate that work. The assessment will consider impacts on people and groups such as: vulnerable children and young people; gypsies and travellers; Black, Asian and Minority Ethnic people; and the medically most vulnerable.

Recovery planning presents an opportunity to reconnect people and nature in support of their health and wellbeing. Fairness must be a core principle in addressing the costs and benefits of acting on the climate/environmental crisis through the recovery process. It will be vital to ensure that recovery does not lock-in greenhouse gas emissions, degradation of natural capital assets or increased risk thereby environment-proofing the recovery process.

Members play an important role in reaching communities across Devon, and therefore can support this process by ensuring that they themselves are well connected with BAME individuals and organisations (listed above). Members can then feed back issues and aspirations of BAME people to officers involved in Recovery planning and impact assessment, as well as through Scrutiny processes. In addition to this, the Council's Equality Reference Group which includes representation from the Plymouth and Devon Racial Equality Council is a useful 'critical friend' to the County Council and contributes to impact assessments on a regular basis.

## Locality Budgets and Corporate Equality Budget

Each County Councillor has an annual locality budget of £10,000 to enable them to respond to local needs in their electoral division by supporting projects or activities that benefit the communities they represent. Members are encouraged to support projects which contribute to addressing inequalities and raise educational attainment within under-represented groups.

The Council's Corporate Equality Budget, which totals £45,000, has a grants process which has criteria linked to the Public Sector Equality Duty and Council strategic aims. This enables Devon wide and 'community of interest' organisations not linked to a locality to apply for funding for projects which seek to reduce inequalities, address discrimination and harassment and foster good community relations. However, at around £5,000 to 10,000, the grants budget is only able to support a small number of projects. The rest of the budget is used for community engagement, events and projects which aim to increase understanding of equality and diversity, advance equality and challenge inequalities.

### **(c) Black Lives Matter (Councillor Wright)**

*This Council welcomes the peaceful protests against the murder of George Floyd at the hands of a police officer, including those organised in Barnstaple, Ilfracombe, Exeter and Plymouth - and the way these have brought to light how this much of this country's wealth was built on slavery and other racial oppression.*

*This Council acknowledges the recent further pain caused to the BAME community, by the Windrush Scandal.*

*This Council acknowledges too, that the only way this deep historical wound can be healed is by people in high profile positions (especially politicians) proving that they are listening with compassion to the BAME community – and taking necessary action.*

*This Council resolves to pledge its support for the Black Lives Matter campaign by:*

- *taking a lead among public organisations in Devon to seek out opportunities to promote and celebrate the work in Devon by BAME people, both in the past and currently.*
- *Inviting every Devon County Councillor to:*

*1. show leadership and support for people of colour in Devon, individually supporting the Black Lives Matter movement, using whichever public platform they feel most comfortable with;*

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2.  *speak with people from the BAME community in their wards to determine what are the issues of concern for them - and take the necessary steps to resolve those issues;*

- *Writing to the Secretary of State for Education urging him to:*

3.  *review the primary school, GCSE and A Level national curriculum with a view to ensuring that the historical record of the British Empire is treated in a way which fully takes account of slavery, the actions and views of historical figures and other oppressive experiences of BAME people, many of whose descendents are now part of our community.*

4.  *show compassion and understanding by starting a national debate led by the BAME community, which seeks to define racism, the impacts of it in today's society - and demonstrate how we can all help people of colour feel fully included and welcomed in the UK (this could be part of the current government review).*

5.  *identify a Cabinet minister champion for the BAME community.*

- *inviting Devon town/parish/city councils to review any landmarks, street names or statues that implicitly celebrate slavery, with a view to clarifying their history, such as the historical plaque in Exmouth for slave trader, John Colleton, who also has three streets named after him in Exeter.*

*NB. Motion was created with students at The Kings School, especially young BAME people.*

## **Briefing Note / Position Statement from the Head of Policy**

### **Celebration and engagement activities**

The Council's Corporate Equality Officer is making plans for a celebration of Black History Month with Devon Development Education. It is unfortunate that our plans to celebrate Windrush Day had to change due to the pandemic as we were going to have a wonderful reception at County Hall, with a flag raising. We hope that we will be able to do this in 2021. Further information about BHM is available here: <https://www.devon.gov.uk/equality/communities/race/bhm>

The Council is also supporting the republication of the book Devon and The Slave Trade by Todd Gray, a Foreword has been written by Leader, Cllr John Hart.

At the heart of this Motion is the need to connect with and talk to BAME people. If anyone has specific questions or concerns about how to approach this, the Corporate Equality Officer would be happy to advise members individually. Please also see the note on BAME engagement and community organisations in the response to the previous motion.

## **Curriculum and education**

- Diverse Devon is accessible online and would provide schools with lessons and assemblies for delivery in school.
- National Education Union - Framework for developing an anti-racist approach in Schools.
- Babcock LDP and other services that can offer anti-racism training, support, guidance and resources.

## **Review of monuments and place names**

The Local Government Association has published note on responding to requests for changes to place names and statues:

<https://local.gov.uk/topics/community-safety/statues>. The Corporate Equality Officer can also advise further.

Members may also find Todd Gray's article on our difficult and complex past insightful, published in Devon Live:

<https://www.devonlive.com/news/history/tear-down-keep-them-devons-4291413>

## **(d) A Better Future For Local Government - Leadership and Finances (Councillor Hannaford)**

### ***Council Notes***

*Local Councils have seen a huge reduction of £16 billion in core grant from central Government over the last 10 years and this is now a critical tipping point.*

*In spite of this, in the face of the global pandemic, councils including Devon County Council have been proactively working with the NHS, Public Health England, blue light services, supporting forums, local community volunteers, and other agencies, through the Local Resilience Forum to keep people safe from Covid19.*

*DCC has brought and distributed personal protective equipment (PPE), and helped set up logistical operations with others, to deliver medicine and food across wide geographies, and make sure vulnerable and older people receive the care and support they need, and crucially keep our children safe.*

*We have yet to work through the long term impacts that this will have on Devon's economy, schools, health services, and the most vulnerable people – Devon's 20% poorest communities, those with long term disabilities and mental health issues, and our black, Asian and minority ethnic (BAME) communities. In Devon we are now facing unprecedented levels of financial burdens unless the costs of dealing with the pandemic are properly reimbursed by central government.*

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## **Council Believes**

*A new relationship must emerge between national, regional and local government that is based on central government's genuine belief that local is best. Our local response to the pandemic has demonstrated only local government working with its partners has the intimate understanding of our communities, places, people and services to do this effectively.*

*Let this be the 'new normal' a relationship between local and central government roles.*

*DCC and our local government partners must have the finance and ability to fully respond in this new environment and to the social, educational, public health and economic impacts of COVID-19, to find effective and efficient local solutions.*

*Councils have a significant opportunity and role to do things differently now in developing;*

- *a sustainable net zero carbon economy working with the South West (HotSW) Local Enterprise Partnership (LEP) and business leaders*
- *reliable broadband to the whole of Devon*
- *sustainable transport and enhancing our cycling and walking infrastructure*
- *an integrated social and health care system*
- *agile and flexible working*
- *skills for all ages. significant investment in the supply of social and affordable housing*

## **Council Resolves**

*Devon County Council's approach for future actions must not only incorporate these seven key needs outlined but also seek more devolved powers. They must do this through representation to central government and our local members of parliament to acquire the necessary legislative and budgetary changes. Local government could then provide greater community leadership so that here in Devon we can better serve our people.*

## **Briefing Note / Position Statement from the Head of Policy**

### **Introduction**

In his address to the Local Government Association conference in July, the Local Government Minister stated that the British state needed to be "fully match-fit for the future" and that requires a "shift of power from Whitehall to people on the ground who know their areas so well, understand their priorities, and are empowered with the mandate, levers and agency to act upon them."

The Minister went on to say that Covid-19 has underlined the reality that an over centralised state is not, and never will be, best placed to respond effectively to the challenges faced by local communities.

Here in Devon, the County Council, singly and with Team Devon partners, has proved the Minister's point to be true many times over. As a Covid-19 Beacon Council, Devon has provided local leadership and support, and responded swiftly to local events and needs whenever required.

Public confidence in the machinery of state is strengthened when local democratic accountability and local knowledge is combined with enough resources delivered efficiently at scale and speed. As the reports in the appendix demonstrate, there is much the County Council is already doing to meet the needs identified in the Notice of Motion to full Council and there is more the County Council could do if enabled by genuine devolution of power from Whitehall.

It remains to be seen whether the Government's forthcoming Devolution and Local Recovery White Paper demonstrates the lessons of Covid-19 have been learned and proposes a meaningful shift in power or proves to be another of the many false dawns in the history of post-war English local government. When published, Members will want to study the contents of the White Paper carefully before considering what actions should be taken that may best meet the needs and interests of the people of Devon.

## **Appendix**

### **Towards a sustainable net zero economy**

Devon's stunning environment attracts both new businesses and visitors to the area every year. There is an opportunity to grow the environmental technology and clean growth sectors by positioning Devon as a clean, green, healthy County in which to live and work, while saving many businesses money through lower long-term water, energy, and waste costs.

Devon's carbon emissions reduced by 23% during lockdown. The opportunity exists to strengthen sector sustainability through collaboration of the construction and clean tech sectors to deliver home and commercial retrofit energy efficiency solutions. The County also benefits from state-of-the-art innovation within the sector, with Exeter leading in environmental science and data management. Environmental technology and clean growth will be backed with up to £1.5 million grant funding to develop bespoke business support; sustainable farming and food will be promoted to sustain and increase behaviour to "buy local"; and sustainable tourism, leisure, and hospitality will be supported with the establishment of a Great South West Tourism Zone to build on the £2.5 billion of visitor spending that Devon currently attracts.

Through our Team Devon prospectus we will seek to roll-out an ambitious pilot investing in domestic energy efficiency and energy generation measures; advance plans for a £2.5 million investment to work with SMEs on reducing carbon emissions; establish a £3.75 million "Centre for Clean Mobility" at Exeter

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Science Park for research and development of autonomous transport; and bring forward proposals to champion a SMART aviation cluster and freeport working with Exeter Airport and other partners to support the development of new electrical air vehicles and green aircraft.

The County Council has set itself a target to be carbon neutral by 2030, the authority having revised its energy and carbon strategy in response to the worldwide climate emergency. The County Council's carbon footprint has already fallen by almost 40% since 2012/13 – and it is likely to reach the authority's original target of a 50% reduction this year, nine years earlier than planned.

The County Council recognises the need to go further if Devon as a county is to make a telling contribution to the worldwide response to the climate change crisis. An important step has been the production of an evidence-led Carbon Plan for the Council's emissions which has been guided by the Centre for Energy and Environment at the University of Exeter.

Alongside the actions the County Council is taking to reduce its carbon usage, the Chief Executive chairs a Devon Climate Emergency Response Group which is made up of senior officer and executives from 25 organisations across Devon including District Councils, emergency services, businesses and voluntary organisations.

The group provides strategic co-ordination as a Team Devon response to the climate crisis. As part of that wider Devon work, the County Council has committed £250,000 to fund a Devon-wide Carbon Plan and a Citizen's Assembly as a forum for public engagement on climate change policy proposals.

A Net Zero Task Force chaired by Professor Patrick Devine-Wright, Professor in Human Geography at the University of Plymouth, has been established to advise on and help deliver the Carbon Plan. Prof Devine-Wright is a Lead Author for the United Nation's Intergovernmental Panel on Climate Change, currently contributing to the 6th Assessment Report due for publication in 2021. Fellow members of the Net Zero Task Force include environmental experts and specialists from the worlds of academia, business, health and community development.

## **Broadband**

Fast, reliable broadband connectivity for businesses and communities across Devon is a top priority for the County Council. That is why along with Somerset County Council, Devon provides joint leadership for Connecting Devon and Somerset, a central and local government partnership that subsidises the construction of broadband infrastructure mainly in rural areas, bridging gaps in commercially funded networks.



The County Council provides funding support for CDS and Devon's Head of Economy, Enterprise and Skills is the CDS programme director.

In May, the Department for Digital, Culture, Media and Sport, said: "Connecting Devon and Somerset (CDS) has achieved genuine success during their management of broadband delivery in the region. CDS has directly provided superfast access to more than 300,000 homes and businesses, often in rural and sparsely populated areas. They have also delivered connectivity to more premises than any other English programme."

The CDS programme is the largest and one of the most cost-effective in England with costs per premise in the lowest quartile nationally\*. CDS covers the local authority areas of Devon and Somerset County Councils, North Somerset, and Bath and North East Somerset Councils. Coverage across the whole area is around 90% at nearly 1 million premises †. \*Source: *Building Digital UK (BDUK)*. † *Total coverage = CDS funded + commercially funded*.

Take-up of CDS funded broadband services is nearly 70% compared with a national average of 61.4%, an increase of circa 5% over the last quarter\*. As a result, CDS has more live customers than the next largest local body has potential connections. The CDS programme is expected to deliver an £800 million boost to the region's economic productivity †. \*Source: *Building Digital UK (BDUK)*. † *UK Broadband Impact Study, SQW*.

CDS has launched its Fibre Extension Programme, comprising two new initiatives with Openreach and Airband that will, between them, deliver full fibre to more than 8,000 additional homes and businesses across the CDS area by the end of 2021. Surveying and engineering will follow Covid-19 social distancing precautions.

The new collaboration with Openreach is a £6 million expansion of fibre broadband coverage helping villages, hamlets and isolated homes and businesses in particularly hard to reach or deprived rural areas. Survey teams for Openreach have already begun working in communities, planning the best routes for these new fibre connections. This work will help shape the design of the local networks and ensure roll-out can happen as rapidly as possible. Around 2,000 homes and businesses in more than 20 communities will benefit from the roll-out. Funding is a reinvestment of monies returned to CDS under the Government's "gainshare" agreement with Openreach, effectively a dividend on the high take-up of broadband services by the public and businesses.

CDS' contract with Airband will deliver full fibre connections to over 6,000 premises in Devon. Engineering began in early July in North Devon and will be rolling out to 57 communities across central, south west and northern and west Devon.

These schemes will complement a big £38 million CDS procurement programme supported by £18.7 million of Government funding to extend gigabit-capable broadband to tens of thousands of homes and businesses in six lots covering areas of Devon and Somerset which the commercial sector is not planning to

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cover. Initial tenders arrived in June and a process of negotiation seeking to optimise proposals has taken place. Subject to evaluation of final tenders and selection of preferred bidders, it is anticipated that contracts will be awarded in December 2020.

It is anticipated that work on the new programme will begin in early 2021 and take up to three years to complete.

In parallel with these initiatives, CDS is working closely with Building Digital UK to expand take-up of the Government's Rural Gigabit Voucher programme. CDS is offering support to communities who wish to contract with telecoms providers to design and shape bespoke broadband solutions for their areas. To date, 4,231 vouchers have been issued in the region with a value of nearly £5 million pounds, representing nearly 25% of all vouchers issued nationally. CDS will provide additional financial support where appropriate through its Community Challenge Programme to help bridge any local funding gaps.

## **Mobile Boost**

CDS is also shortly to announce details of its new Mobile Boost scheme to some of the most rural areas of our region. Funded through the recent HotSW LEP Digital Call, the scheme is aimed at small businesses and households who currently have inadequate indoor mobile phone coverage from their existing provider and who are currently struggling with connectivity due to their rural location. The scheme will offer vouchers with a value of £800 for eligible business and residential premises to acquire a mobile signal booster which will improve internal coverage using OFCOM approved equipment. Whilst the project is predicated on ensuring the ability to make voice calls, the equipment will also improve indoor 4G coverage. The scheme will be promoted through District Council economic development networks and will run alongside current CDS and commercial provision as a further contribution to enhancing digital connectivity within the region. All work will be required to comply with Covid-19 social distancing precautions.

## **Sustainable Transport**

The Government announced its Emergency Active Travel Fund in May this year, which encouraged local authorities to reallocate road space towards pedestrians and cyclists to encourage "active travel".

The County Council responded positively and swiftly, securing the full £338,000 allocation from the first tranche of Government funding, and delivering ambitious temporary pop-up infrastructure in several places across the County. This included point closures in Exeter to filter out traffic and create low-traffic environments for safer cycling, connecting residents with major job destinations including the city centre, the Royal Devon & Exeter Hospital and Sowton. Funding was also made available to support local pedestrian improvements in towns including Barnstaple, Totnes, Teignmouth, Sidmouth and Holsworthy and

improved crossings were delivered in Newton Abbot and Bideford.

The County Council has now bid for a second tranche of funding, worth up to £1.3 million, to deliver ambitious, permanent cycle improvements in Exeter, Newton Abbot and Barnstaple which best met the Government's tight criteria including being shovel-ready and deliverable by March 2021.

Earlier, in July, the County Council opened its latest section of strategic cycle route on the eastern edge of Exeter, which included design features which are being promoted in the latest Government guidance including segregation of cycleways and priority side-road crossings for cyclists.

The County Council continues to commit funds to develop plans for its strategic rural network, including the Teign Estuary Trail and completing gaps in the Coast to Coast cycle network on the Tarka Trail (Meeth to Hatherleigh and Willingcott to Knowle).

## **An integrated social and health care system**

In Devon, community-based health and social care services have been integrated since 2008 with joint leadership and co-located staff.

Our health and care commissioning functions are also co-located with an increasing number of joint leadership positions and shared functions.

It is the stated ambition of the Devon health and care partnership to become an Integrated Care System with place-based governance.

During the COVID-19 period, the benefits of system working, with the full participation of our independent and voluntary sector providers, have been demonstrated.

This can be evidenced, for example, by the comparatively low levels of outbreaks, infections and fatalities in Devon's care homes with an integrated approach to Infection Prevention and Control.

Devon has the largest care home sector in the South West and one of the largest in England with 333 care homes and yet it is one of five local authority areas in England with significantly fewer care home fatalities than would be expected given the number of infections in the wider community. The county also remains the 149th lowest for Covid-19 cases per 100,000 population out of 150 local authority areas in England. It is testimony to the swift and excellent support provided by the County Council's adult social care and public health services working in close collaboration with NHS colleagues.

The County Council has made a submission to the Parliamentary Health and Social Care Committee to inform its Inquiry into the management of COVID-19 accordingly.

It can also be illustrated by our joint approaches to addressing shared challenges such as attracting, sustaining and developing the health and care workforce through Proud to Care.

We are anticipating the Government taking learning gained during the Response to and Recovery from COVID-19 to inform future reform of the health and care sector.

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This will include sustaining and further developing the new ways of working and models of service delivery developed during the COVID-19 period.

It must be hoped, however, that Government recognises that continuing delivery of social care through democratically accountable councils, alongside the local democratic oversight and scrutiny of the NHS, has many strengths, strengths that have more than proved their worth during the pandemic and which outweigh the tenuous benefits of centralising social care as a Government-run service and the certain disruption to vital local services that will result as a consequence.

There is no need for a costly national take-over. As has been amply proved here in Devon, the benefits of locally delivered social care and public health services that know their patch and can respond swiftly, working alongside regional and national resources, works well and has kept the people and communities of Devon safe.

## **Skills and employment**

At the heart of the County Council's ambition for the people of Devon post COVID-19 lies a determination that every resident should have an equal opportunity to a purposeful education; to enter meaningful employment and ultimately be able to achieve and secure a long-term income. This will both see the efficiency and productivity of all our sectors enhanced, but also lead to a more inclusive, balanced and prosperous Devon for the future. This ambition is central to the Team Devon Covid-19 Economy and Business Recovery Prospectus.

To achieve this ambition, we must resolve several workforce challenges, namely unemployment, education and aspiration, and deprivation and inclusion.

As part of the Team Devon response, the County Council is therefore placing a strong focus on supporting those most at risk or in need: young people, displaced workers in vulnerable sectors, and those with a barrier to work, as well as those sectors facing the greatest impacts – Tourism, Retail and Food and Farming, or with the greatest potential for future growth - health, digital and advanced engineering.

The current work programme includes:

- **People Recovery Group and Task and Finish Groups.** The fortnightly meeting of key stakeholders in the learning, skills and employment sector is now well established. Following an initial scoping exercise to inform the development of the Recovery Plan, this has now moved into the action phase, and three task and finish groups began their work this month (focused upon Skills, Employment and Young People). Membership of these includes District Council colleagues, education and training providers, Job Centre Plus, employers, services for children and young people, Proud to Care, Apprenticeship support organisations, advice and guidance providers and our Digital Skills Network.

- **Skills**

- Support for Apprenticeships – In May 2020 the County Council commissioned work from the Devon and Cornwall Training Provider Network (DCTPN) to support the impact and take up of Apprenticeships. The scope of the work has included:
  - information gathering and intelligence from the provider network, in particularly around the impact of Covid-19 on providers as businesses, the impact on apprentices' learning, the take-up of furlough scheme for apprentices and the availability of traineeship programmes for example.
  - Preparing a network response form the County to failures of providers and apprenticeship placements, liaising with the Education and Skills Funding Agency in the event of a provider failure. This includes coordination during an employer failure to ensure the least disruption to apprentices in Devon, and wider support for providers, employers and apprentices to maintain their participation and confidence in the programme.
  - Regular and constant communications with the provider network and employers, advising and listening and thereby helping the County Council to inform Government planning and the Covid-19 response. At the heart of this has been a focus on confidence building around the Apprenticeships programme as the economy moves into the recovery phase.
- Digital Skills Partnership – The partnership has continued and accelerated its work coordinating a digital strategy that raises digital skills for our community, reduces social and geographical imbalances and ensures everyone has access to digital services. Specifically, the work programme has included:
  - Bounce Back Digital. A series of professionally hosted webinars introducing key digital topics was held through June and July. In addition, 20 free follow-on courses were held aimed at helping small businesses mitigate the impact of Covid-19. The full programme of webinars and courses can be found here: <https://heartofswlep.co.uk/about-the-lep/how-we-are-organised/digital-skills-partnership/bounce-back-digital/>
  - Early dissemination of remote teaching tools was shared with schools' pre-closure and ongoing support continues around digital learning tools and resources.
  - Regular updates on digital skills opportunities for learners, furloughed workers and businesses being shared through fortnightly newsletters reaching 5000+ individuals.
  - Engaging with the DeviceDotNow and Business in the Community to leverage hardware and connectivity for vulnerable households.

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Supporting both the region's Online Centres to sign up to be distributors for the programme, and surveying the need across schools, youth groups and charities.

- An initial round of Digital Skills Innovation Funding, completed in July, which helped 170 individuals upskill or retrain into digital careers.
  - Re-purposing of the balance of the Digital Skills Innovation Fund project to implement a programme of digital support to help SMEs affected. The Digital Skills Resilience programme will help 600 businesses with short courses covering how to set up e-commerce websites, transact online and use digital bookkeeping services, productivity tools, digital marketing and cybersecurity.
  - Digital Utilisation for Growth - This initiative supports SMEs to develop their digital ability and through doing so expand their networks, extend their potential client base and in turn grow their business. Delivered by local provider Cosmic, the programme is up and running. Initial sessions have been held with over 100 businesses to establish their needs and suitable training has been delivered, with good feedback from employers.
  - Skills support at Learn Devon - Learn Devon, the County's adult education provider, is offering English and Maths qualifications including GCSEs. There have been over 250 enrolments since an enhanced, on-line response package was launched in April. In addition, over 250 learners have taken up a range of digital skills support options, including support for those needing to improve their digital skills to access Universal Credit.
  - Get Help to Retrain and the National Retraining Scheme (NRS). The Heart of the South West LEP, working through the County Council's Employment and Skills team, had been participating in the Department for Education's NRS pilot programme, Get Help to Retrain, since the beginning of 2020. Consequently, the LEP area has now been given an opportunity to bid for one of 3 pilot programmes nationally, each worth up to £1.25m, that will address digital skills barriers to employment over courses of up to 13 weeks duration. Contract values will be awarded based on the volume of vacancies requiring digital skills in the area, and training solutions are currently being designed to meet local need.
- **Employment**
    - The Redundancy Support Programme - The County Council's Employment and Skills team is currently working with partners at the Department of Work and Pensions (DWP) to streamline the offer and support that will be available to those that are made redundant in the coming months. This activity requires the recruitment of 2 x 0.6 FTE temporary roles to act as co-ordinators of the work across the county, and this recruitment is now underway. The remit will include liaison with our District Council colleagues, working with training providers and providers

of other services such as mental health support, partnership working with Job Centre Plus (JCP) as well as responding to specific redundancy situations as they occur.

- Sector-based work academies is a project run by DWP and JCPs with the aim of linking up unemployed people with job vacancies in a specific sector - The County Council's Employment and Skills team are currently supporting the roll out of our first sector-based academy working alongside our Proud to Care team with a two-day workshop in North Devon this month and will seek to match up to 25 people with the 25 vacancies that have already been identified. Proud to Care will give information on working within the sector, Learn Devon will give virtual interview skills training and the programme will end with virtual interviews with real employers.
  - Support for Redundancy through Learn Devon - Learn Devon has put together a comprehensive package of support for those facing redundancy, those who are newly unemployed or those who have been out of work for 13 weeks or more. The offer includes individual skills audits, training for those hoping to start their own business, courses focussed on wellbeing and mental health, English as a second language, work related qualifications as well as confidence building and motivational support for the long-term unemployed. Learn Devon has moved most of its provision to an on-line format including e-learning and virtual learning classes coupled with learner support delivered virtually and by telephone. There has been a significant rise in the take up of these learning opportunities during the Covid-19 crisis.
  - The Disability Employment Hub - Initially this programme, designed to support employers with diversifying their workforce, was significantly affected by Covid-19. Planned face to face learning programmes were cancelled and communications with businesses halted to allow them the space to deal with the most pressing issue of enabling their business to weather the Covid-19 storm. The Disability Employment Hub is now back in action. Learning programmes have been moved to an on-line format, specific advice and support is available to employers on the HR issues they face regarding their most vulnerable workers at this time and case studies have been developed which showcase good practice. The Disability Employment Hub team has engaged with DWP locally and nationally on the issues faced by this group of workers and continues to develop its role. Further information on the work of the Employment Hub can be found here: <https://www.readydevon.org.uk/>
- **Young People**
    - The Careers Hub - Operating over the Heart of the South West area, the Careers Hub has secured further core funding from The Careers & Enterprise Company, together with match funding from the HotSW Local Enterprise Partnership (LEP) and HotSW Local Authorities, to extend and expand the current service. From September, the HotSW Careers Hub

# Agenda Item 11

will support all state funded secondary schools, including Special Educational Need and Disability provision and Pupil Referral Units, and FE colleges across Devon, Plymouth, Somerset and Torbay. The Careers Hub team has continued to support school Careers Leaders as they worked to adapt their careers offer for pupils during the Covid-19 pandemic, sharing good practice, seeking out innovative ways of delivering careers activity, maintaining links with employer representatives and helping schools and colleges to continue on their journey towards achieving all 8 of the Gatsby quality benchmarks. Recruitment of four additional posts to staff the expanded Careers Hub is now underway. Further information on the work of the Careers Hub can be found here: <https://heartofswlep.co.uk/about-the-lep/how-we-are-organised/heart-south-west-careers-hub/>

- Additional support for Electively Home Educated young people making a transition to post 16 learning. - A small budget has been secured to work exclusively with this cohort over the HotSW area. The CSW Group will provide tailored services to up to 264 young people who have just reached the end of their year 11 studies. The programme will include 8 on-line webinar style sessions with the offer of one to one follow up advice and guidance to enable this group to make a successful transition into further learning and training routes.
- Digital skills and equipment for young people. - The task and finish group has already enabled the join up of the Digital Skills Network with the Wave youth service and work is underway to explore ways in which the two can add value to each other. This will include bringing together the various programmes for supplying IT equipment to young people and families with the aim of including as many families as possible while avoiding duplication of effort and approach. Employers and other stakeholders will be approached to donate equipment to be recycled and thus increase the supply of kit to closer match the demand as more and more learning and other services move to a digital format.
- Youth Hubs. - In partnership with and using funding from DWP, the County Council will design and deliver up to two Youth Hubs covering North and Mid Devon, Exeter, East and South Devon. Youth Hubs will have an on-line presence to include information, signposting, resources, learning opportunities and provide that “one stop shop” for unemployed young people. It is also intended that the work will deliver up to 13 weeks of mentoring support for young people aged 16-24 to help them re-enter learning, training or work.
- Additional support for young people intending to begin apprenticeship programmes in the next academic year. - The CSW Group lead on this initiative and contacted every year 11 and year 12 young person in the county who had indicated that apprenticeship would be their next programme of study. In total, 475 young people were contacted. All were advised on their options, depending on their individual circumstances, and where appropriate they were assisted to put an alternative plan in place.



This group will be considered “at risk” of becoming NEET and will be offered additional advice and support following A level and GCSE results. The aim is to ensure that all young people have a suitable offer, learning programme or course which enables them to move forward with their career aspirations.

- E-Cool Project - The County Council will host an Interreg Europe-funded on-line programme of activity over two days later this year focused on developing entrepreneurship and an entrepreneurship mindset across our various education and training settings – schools, colleges and work-based provision. All partners share good practices and there is an opportunity to explore the most popular projects in greater depth, sometime by visiting the project concerned. E-Cool will soon enter its action planning phase where we will use some of the key learning points to influence policy and practice across our strategic and delivery landscape. Specifically, there are two main actions:
  - Action 1: Creating and running an entrepreneurial kick starter programme in schools and communities, aimed at developing people’s abilities and skills, so that they can start their own businesses and while receiving this support get the mentorship needed to run their business successfully.
  - Action 2: Develop stronger links within our entrepreneurial network. This will include expanding the network and facilitating engagement with the programme in the development stage as well as the delivery. Network members will be encouraged to adopt a higher level of ownership in supporting the next generation of business owners and entrepreneurs within Devon.

The programme will continue to run up to its intended closure in 2023.

Work also continues to deliver on the remaining aspirations of the Covid-19 Recovery Strategy which includes seeking out new sources of funding, develop activity to fill those spaces not covered by Government’s own recovery package and leading locally on the required partnership working to deliver maximum benefit to both employers and individuals.

## **Social and affordable housing**

Although housing is not a statutory responsibility of the County Council’s, the authority believes the provision of social and affordable homes to meet local needs is fundamental to the well-being of all communities and reducing the plight of rough sleeping. It is an essential basic need, critically important to ensuring a future in Devon for young people who want to live, work and raise a family in our county. The County Council supports District Council colleagues in their concerns about the Planning White Paper’s potential impact on affordable homes provision and recently facilitated a briefing for Devon MPs on the issue.

# Agenda Item 11

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This Report has no specific equality, environmental, legal or public health implications that will not be assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements in relation to the matters referred to herein.

JAN SHADBOLT

[Electoral Divisions: All]

## **Local Government Act 1972: List of Background Papers**

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
|--------------------------------|--------------------|------------------------------|
|--------------------------------|--------------------|------------------------------|

NIL

## DEVON AUDIT PARTNERSHIP COMMITTEE

14 July 2020

Present:-

Devon County Council:-

Councillors J Clatworthy and G Gribble

Other Council Representatives

Councillor Robert Loxton, Torbay Council  
Councillor Margaret Corvid, Plymouth City Council  
Councillor Lorraine Parker-Delaz-Ajete, Plymouth City Council  
Councillor Philip Hackett, Torridge District Council  
Councillor Bob Evans, Mid Devon District Council  
Councillor Claire Hodson, Torridge District Council  
Councillor Andrew Moore, Mid Devon District Council  
Councillor Ian Roome, North Devon District Council

Apologies:-

Councillors Davies, Heyse and Phillips

\* 68

### **Election of Chair**

The Chair should be held on a rotational basis with each Council having a Member serve alternately for one year. Mid Devon District Council had recently held the Chair and it was therefore Devon County Council's turn to hold the post of Chair for one year from the date of this meeting.

**RESOLVED** that Councillor Gribble be elected Chair for the ensuing year.

\* 69

### **Election of Vice-Chair**

The Vice-Chair shall be elected from a Council other than that which currently held the Chair.

**RESOLVED** that Councillor Loxton (Torbay) be elected Vice-Chair for the ensuing year.

\* 70

### **Minutes**

**RESOLVED** that the Minutes of the meeting held on 10 March 2020 be signed as a correct record.

\* 71

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 72

### **Devon Audit Partnership - Revenue Outturn Position 2019/20**

The Committee considered the Report of the Head of Devon Audit Partnership (CT/20/59) setting out the revenue outturn position and changes between Month 9 and year end, the balance sheet as at 31 March 2020, the Accounting Statement, the Annual Internal Audit Report for 2019/20 and the Annual Governance Statement.

Members noted:

# Agenda Item 13a

- the Head of Partnership apologised for 2 minor errors in the report relating to section 1.4.2 (month 9 projection figure for Supplies, Services & Support) and in the table at section 2.1 (date of 31.3.2020 shown, should be 31.3.2019);
- a confirmed operating surplus of £8,781 made up of £4,331 with regards our Internal Audit and Risk Management services and £4,450 with regards Counter Fraud Services;
- South Hams and West Devon as non-voting partners did not feature in the balances for the Partnership;
- as a Teckal compliant organisation DAP's turnover with non-partners could not exceed 20% of it's overall turnover, which limited the work it could undertake with outside bodies; and
- South West Audit Partnership completed an internal audit of the 2019/20 DAP accounts and confirmed positive arrangements and assurance.

It was **MOVED** by Councillor Hackett, **SECONDED** by Councillor Evans and

## **RESOLVED**

- (a) that the Devon Audit Partnership Revenue Outturn Position Report 2019/20 be noted;
- (b) that the Devon Audit Partnership balance sheet as at 31 March 2020 and the balances contained be noted;
- (c) that the Accounting Statement, prepared in accordance with the (former) small bodies return format be noted;
- (d) that approval be given for the Chair to sign the Annual Governance Statement; and
- (e) that the Annual Internal Audit Report for 2019/20 be noted.

\* 73

## **Devon Audit Partnership - COVID Update Report**

The Committee considered the Report of the Head of Devon Audit Partnership (CT/20/60) describing the action taken by Devon Audit Partnership to respond to the COVID-19 crisis.

Members noted:

- 5 DAP staff had been redeployed to other roles during the pandemic;
- the delay to the appointment of a new Audit Manager until 5 October 2020 and the subsequent cost saving;
- impact of COVID-19 on fraud detection and Council Tax collection rates;
- impact on audit work, with some physical checks not being completed during COVID-19, but that DAP could still provide good coverage over the majority of controls and the overall control environment; and
- preparedness for a (possible) second wave of the pandemic was good.

It was **MOVED** by Councillor Loxton, **SECONDED** by Councillor Moore and

- (a) that the actions and response by the Devon Audit Partnership in relation to the COVID-19 crisis be noted;
- (b) that Internal Audit plans for partners are likely to be affected from the impacts of COVID-19, be noted;
- (c) that the potential risks to the financial position of DAP and the action by Partnership Management to reduce such risks to an acceptable level, whilst still supporting the COVID-19 response when called upon be noted;
- (d) that a report be presented to the 17 November 2020 Committee on impact of COVID-19 on fraud detection and Council Tax collection rates.

\* 74 **Devon Audit Partnership - Annual Report 2019/20**

The Committee considered the Report of the Head of Devon Audit Partnership (CT/20/61) outlining the progress made by the Partnership during the year; the ongoing development of arrangements with partners; and the continued high level of customer satisfaction achieved.

Members noted:

- added value and how quantifiable this could be in terms of savings achieved;
- work to grow the Partnership's business, for example with the non-maintained school sector;
- impact on chargeable time with COVID-19 in terms of sickness and productivity; and
- the need for a balance between DAP staff continuity against some turnover of staff being healthy for the organisation.

It was **MOVED** by Councillor Corvid, **SECONDED** by Councillor Loxton and

**RESOLVED**

(a) that progress made by the Devon Audit Partnership during the 2019/20 financial year be noted.

(b) that the continued high level of customer satisfaction achieved by the Partnership be noted.

\* 75 **Future Meeting**

The next meeting was scheduled for 17 November 2020.

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

The Meeting started at 10.30 am and finished at 11.45 am



## FARMS ESTATE (INTERVIEWING) COMMITTEE

27 July 2020

Present:

County Councillors

Councillors R Edgell (Chair), J Brook and C Chugg

Co-opted Members

Mrs L Warner (Tenants' representative)

\* **124** Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

\* **125** 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 Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and 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 outweighed the public interest in disclosing the information.

\* **126** Farm Re-letting: Lower Pilehayes Farm, Woodbury

*(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).*

The Head of Digital Transformation and Business Support reported on the circumstances of this reletting.

The Committee then considered the rent for the holding and interviewed prospective tenants.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Chugg and

**RESOLVED** that the tenancy of Lower Pilehayes Farm, Woodbury be offered to Mr TWG on the subject to contract terms and conditions proposed and, in the event that Mr TWG does not take up the offer of tenancy, the farm be offered in the alternative to Mr NC as runner up.

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

The Meeting started at 9.00 am and finished at 5.00 pm

1. The Minutes of this Committee are published on the County Council's Website.  
2. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.  
3. Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.

# Agenda Item 13b



## FARMS ESTATE (INTERVIEWING) COMMITTEE

10 August 2020

Present:

County Councillors

Councillors R Edgell (Chair), J Brook and C Chugg

Co-opted Members

Mrs L Warner (Tenants' representative)

\* **127** **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

\* **128** **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 Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and 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 outweighed the public interest in disclosing the information.

\* **129** **Farm Re-letting: Bulleigh Elms Farm, Ipplepen**

*(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).*

The Head of Digital Transformation and Business Support reported on the circumstances of this reletting.

The Committee then considered the rent for the holding and interviewed prospective tenants.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Chugg and

**RESOLVED** that the tenancy of Bulleigh Elms Farm, Ipplepen be offered to Mr TB on the subject to contract terms and conditions proposed and in the event that Mr TB does not take up the offer of tenancy the farm be offered in the alternative to Mr SB as runner up.

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

The Meeting started at 10.00 am and finished at 3.00 pm



# DEVON COUNTY COUNCIL

## COUNCIL/CABINET FORWARD PLAN

In line with the public's general rights of access to information and the promotion of transparency in the way which decisions are taken by or on behalf of the Council, Devon County Council produces a Forward Plan of any Key Decisions to be taken by the Cabinet and any Framework Decisions to be made by the County Council. The Plan normally covers a period of a minimum of four months from the date of publication and is updated every month.

The County Council has defined key decisions as those which by reason of their strategic, political or financial significance or which will have a significant effect on communities in more than one division are to be made by the Cabinet or a Committee of the Cabinet. Framework Decisions are those decisions, which, in line with Article 4 of the Council's Constitution must be made by the County Council.

The Cabinet will, at every meeting, review its forthcoming business and determine which items are to be defined as key decisions and the date of the meeting at which every such decision is to be made, indicating what documents will be considered and where, in line with legislation, any item may exceptionally be considered in the absence of the press and public. The revised Plan will be published with the papers for the meeting. *Where possible the Council will attempt to keep to the dates shown in the Plan. It is possible that on occasion may need to be rescheduled.* Please ensure therefore that you refer to the most up to date Plan.

Click to see an [up to date version of the Forward Plan](#) on the Council's web site at any time.

Also see the website for [Copies of Agenda and Reports of the Cabinet or other Committees of the County Council](#) referred to in this Plan

## FORWARD PLAN

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown

Any person who wishes to make representations to the Council/Cabinet about (a) any of the matters proposed for consideration in respect of which a decision is to be made or (b) whether or not they are to be discussed in public or private, as outlined below, may do so in writing, before the designated Date for Decision shown, to The Democratic Services & Scrutiny Secretariat, County Hall, Exeter, EX2 4QD or by email to: [members.services@devon.gov.uk](mailto:members.services@devon.gov.uk)

### PART A - KEY DECISIONS

(To Be made by the Cabinet)

| Date of Decision                                  | Matter for Decision                                    | Consultees | Means of Consultation<br>** | Documents to be considered in making decision                                                                                                                    | County Council Electoral Division(s) affected by matter |
|---------------------------------------------------|--------------------------------------------------------|------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
|                                                   |                                                        |            |                             |                                                                                                                                                                  |                                                         |
| <i>Regular / Annual Matters for Consideration</i> |                                                        |            |                             |                                                                                                                                                                  |                                                         |
| 9 December 2020                                   | Target Budget and Service Targets for Forthcoming Year |            |                             | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

|                                           |                                                                                                                                                    |                                                |                                       |                                                                                                                                                                                                                  |               |
|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 12 February 2021                          | Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year                                | TBC                                            | TBC                                   | Report of the head of education and learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                   | All Divisions |
| 10 March 2021                             | Flood Risk Management Action Plan 2021/2022<br>Update on the current year's programme and approval of schemes and proposed investment in 2021/2022 | Liaison through Devon Operation Drainage Group | All other Risk Management Authorities | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | All Divisions |
| 14 April 2021                             | County Road Highway Maintenance Capital Budget                                                                                                     | N/A                                            |                                       | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 14 April 2021                             | County Road Highway Maintenance Revenue Budget and On Street Parking Account                                                                       | N/A                                            | N/A                                   | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 28 May 2021                               | Revenue and Capital Budget Outturn for 20/21                                                                                                       |                                                |                                       | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                 | All Divisions |
| <i>Specific Matters for Consideration</i> |                                                                                                                                                    |                                                |                                       |                                                                                                                                                                                                                  |               |

|                        |                                                                                                                                     |                         |                                                                                                     |                                                                                                                                                                                                                 |               |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 9<br>September<br>2020 | Trading Standards Joint Service<br>Renewal of the joint service<br>agreement and an extension of<br>the Service to include Plymouth |                         |                                                                                                     | Report of the Head of Trading Standards<br>outlining all relevant considerations,<br>information and material including any<br>equality and / or impact assessments, as<br>necessary.                           | All Divisions |
| 9<br>September<br>2020 | Budget Monitoring - Month 4                                                                                                         |                         |                                                                                                     | Report of the County Treasurer outlining<br>all relevant considerations, information<br>and material including any equality and /<br>or impact assessments, as necessary.                                       | All Divisions |
| 9<br>September<br>2020 | Market Position Statement<br>(Adults) - Annual Update                                                                               |                         |                                                                                                     | Report of the Joint Associate Director of<br>Commissioning outlining all relevant<br>considerations, information and material<br>including any equality and / or impact<br>assessments, as necessary.           | All Divisions |
| 14<br>October<br>2020  | Tiverton Eastern Urban (EUE) Access<br>Junction: Approval to go out to tender<br>and construct Phase 2                              | Statutory<br>and Public | Public<br>consultatio<br>ns linked<br>to MDDC<br>Local Plan<br>and<br>Tiverton<br>EUE<br>Masterplan | Report of the Head of Planning,<br>Transportation and Environment<br>outlining all relevant considerations,<br>information and material including any<br>equality and / or impact assessments, as<br>necessary. | Tiverton East |

|                       |                                                                                                                                                                                                                                                            |                                                                |                                                                                                   |                                                                                                                                                                                                                  |                                                  |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 14<br>October<br>2020 | South West Exeter Housing Infrastructure Fund Project: update of project including approval to submit relevant planning applications, conditional approval for the allocation of recovered funding, approval to progress land acquisition for the delivery | Developer s,<br>landowner s and<br>members<br>of the<br>public | Meetings /<br>correspond<br>ence and<br>consultatio<br>n as part of<br>the<br>planning<br>process | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                 | Alphington &<br>Cowick;<br>Exminster &<br>Haldon |
| 14<br>October<br>2020 | The Waste Asset Management & HWRC Improvement Strategy to include seeking approval to progress planning for a new Tavistock Household Waste Recycling Centre                                                                                               | TBA                                                            | TBA                                                                                               | Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                    |

|                                               |                                                                                                                                    |                                                                                                                                                                                                                                        |                                       |                                                                                                                                                                                                         |                      |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <p>14<br/>October<br/>2020</p> <p>Page 88</p> | <p>Proposed New Okehampton Special School: Approval of Capital funding and commencement of the free school presumption process</p> | <p>All Members, MP, Department for Education, Unions, District, and Parish Town councils, neighbouring authorities, all schools and parents/pupils through schools, Diocese, internal colleagues including Participation Manager..</p> | <p>Email, Website, Have your Say.</p> | <p>Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All Divisions</p> |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|



|                        |                                                                                             |                  |                                                     |                                                                                                                                                                                                                                 |               |
|------------------------|---------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 14<br>October<br>2020  | Safeguarding Adults Board -<br>Proposals for Merged Boards and<br>Joint Working with Torbay |                  |                                                     | Report of the Joint Associate Director of<br>Commissioning outlining all relevant<br>considerations, information and material<br>including any equality and / or impact<br>assessments, as necessary.                           | All Divisions |
| 14<br>October<br>2020  | Childcare Sufficiency Assessment                                                            |                  |                                                     | Report of the Chief Officer for Childrens<br>Services outlining all relevant<br>considerations, information and material<br>including any equality and / or impact<br>assessments, as necessary.                                | All Divisions |
| 14<br>October<br>2020  | Industrial Estates Development (Part<br>2 item)                                             | N/A              | N/A                                                 | Report of the Head of Economy,<br>Enterprise and Skills outlining all<br>relevant considerations, information and<br>material including any equality and / or<br>impact assessments, as necessary.                              |               |
| 11<br>November<br>2020 | Budget Monitoring - Month 6                                                                 |                  |                                                     | Report of the County Treasurer outlining<br>all relevant considerations, information<br>and material including any equality and /<br>or impact assessments, as necessary.                                                       | All Divisions |
| 11<br>November<br>2020 | Approval of the Resource & Waste<br>Management Strategy for Devon<br>2020-2030              | Stakeholder<br>s | Conference<br>followed<br>by online<br>consultation | Report of the Chief Officer for Highways,<br>Infrastructure Development and Waste<br>outlining all relevant considerations,<br>information and material including any<br>equality and / or impact assessments, as<br>necessary. | All Divisions |

|                                                                                                      |                                                                                                                                                                            |                                                                                                                          |                                                                                                                                                 |                                                                                                                                                                                                         |                                            |
|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <p>11 November 2020</p>                                                                              | <p>Government Housing Infrastructure Schemes at Dawlish and Cullompton: Approval of legal agreements with District Councils, and authority to progress to construction</p> | <p>Statutory and Public</p>                                                                                              | <p>Undertaken as part of Local Plan and Planning Application</p>                                                                                | <p>Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>Dawlish; Cullompton &amp; Bradninch</p> |
| <p>11 November 2020</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 90</p> | <p>Exeter Transport Strategy 2020-2030: For approval</p>                                                                                                                   | <p>Public Consultation Corporate Infrastructure and Regulatory Services Scrutiny Committee (Standing Overview Group)</p> | <p>Online Public Consultation – including Strategy Document, Leaflet, Evidence Base and Online Questionnaire Meetings with key stakeholders</p> | <p>Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p> | <p>All in Exeter</p>                       |

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| 9<br>Decemb<br>er 2020 | Local Flood Risk Management Strategy for Devon<br>Draft Local Flood Risk Management Strategy and supporting documents including: Strategic Environmental Assessment (SEA) and Equality Impact Assessment (EIA) | Other Risk Management Authorities, Key Stakeholders and the general public | Public consultation | Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 9<br>Decemb<br>er 2020 | Learner Services Commissioning                                                                                                                                                                                 |                                                                            |                     | Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                   | All Divisions |
| 10 March<br>2021       | Budget Monitoring - Month 10                                                                                                                                                                                   |                                                                            |                     | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                 | All Divisions |

| PART B -FRAMEWORK DECISIONS<br>(Requiring approval of the County Council) |                                                                                                                          |            |                             |                                                                                                                                                                  |                                                         |
|---------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| Date of Decision                                                          | Matter for Decision                                                                                                      | Consultees | Means of Consultation<br>** | Documents to be considered in making decision                                                                                                                    | County Council Electoral Division(s) affected by matter |
| 20 January 2021<br>26 February 2021                                       | Pay Policy Statement 2021/2022<br>To approve the Councils Pay Policy Statement                                           |            |                             | Report of the County Solicitor outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |
| 12 February 2021<br>18 February 2021                                      | Revenue Budget, Medium Term Financial Strategy 2021/2022 - 2024/2025 and the Capital Programme for 2021/2022 - 2025/2026 |            |                             | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

**PART C - OTHER MATTERS**

(i.e. Neither Key Nor Framework Decisions)

| Date of Decision                                                                       | Matter for Decision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Consultees                                                                                                       | Means of Consultation<br>** | Documents to be considered in making decision                                                                                                                                                                         | County Council Electoral Division(s) affected by matter |
|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| <i>Regular / Annual Matters for Consideration</i>                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                  |                             |                                                                                                                                                                                                                       |                                                         |
| Part C<br>Between 9 September 2020 and 5 May 2021                                      | Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)                                                                                                                                                                                                                                                                                                                                                                       | As necessary                                                                                                     |                             | Report of the TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                   | All Divisions                                           |
| Between 9 September 2020 and 1 May 2021<br><br>Between 9 September 2020 and 1 May 2021 | Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)<br><br><i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i> | To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd |                             | Report of the Head of Digital Transformation and Business Support, County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions                                           |

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| 14 October 2020                           | Devon Safeguarding Adults Annual Report        |                                                                     |           | Report of the outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                                          | All Divisions |
| 9 December 2020                           | Treasury Management Mid Year Report            | Corporate Infrastructure and Regulatory Services Scrutiny Committee | Committee | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                         | All Divisions |
| 14 April 2021                             | Public Health Annual Report 2020/2021          |                                                                     |           | Report of the Chief Officer for Communities, Public Health, Environment and Prosperity outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary. | All Divisions |
| 14 July 2021                              | Treasury Management Stewardship Outturn Report | Corporate Infrastructure and Regulatory Services Scrutiny Committee | n/a       | Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.                                                         | All Divisions |
| <b>Specific Matters for Consideration</b> |                                                |                                                                     |           |                                                                                                                                                                                                                          |               |