

County Council
Thursday, 23rd July, 2020



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

15 July 2020

Your virtual attendance is requested at the Meeting of the Devon County Council on Thursday, 23rd July, 2020 at 2.15 pm. We plan to live stream the meeting – for further instruction please see the [Council Agenda webpage](#).

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

Chief Executive

AGENDA

- 1 **Meeting Processes and Etiquette**
The Head of Democratic Services to present.
- 2 **Apologies for Absence**
- 3 **Election of Chair**
- 4 **Appointment of Vice Chair**
- 5 **Appointment of Deputy Leader of the Council**
- 6 **Cabinet Members and Allocation of Remits**

The Leader of the Council to move:

"that the Council note that Members shown in the Appendix circulated to Members with the agenda of the meeting will be appointed to hold office until the date of the Elections in 2021, together with the remits shown therein."

7 **Minutes**

To approve as a correct record and sign the minutes of the meeting held on 20th February 2020.

8 **Announcements**

9 **Items Requiring Urgent Attention**

10 **Appointment of Committees** (Pages 1 - 22)

Councillor Hughes to move:

(a) that in accordance with Standing Order 21 the County Council appoints those Committees, Joint Committees and Working Parties/Panels as shown in the Appendix circulated with the agenda with terms of reference set out in the Council's Constitution or set out therein for the period expiring at the date of the quadrennial Elections in 2021;

(b) that, as required by section 16(1) of the Local Government and Housing Act 1989, Members of the Council be appointed as voting members to those Committees, Joint Committees, Joint Consultative Committees and Working Parties/Panels referred to at (a) above in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the proposed allocation of seats as between political party groups and set out for the time being in the Appendix circulated with the agenda;

(c) that, and in accordance with the Council's Scrutiny Procedure Rules, the County Council appoints the total numbers of voting (v) or non-voting (nv) members to those Committees, Joint Committees and Working Parties/Panels referred to (a) above as thus denoted in the Appendix (the Council's voting scheme) circulated with the agenda for the period expiring at the date of the quadrennial Elections in 2021;

(d) that the Chief Executive be authorised to approve such changes to membership of the above bodies detailed in the Appendix circulated as may be notified from time to time by the relevant political group to which those seats have been allocated by the Council;

(e) that additional Members of Scrutiny Committees, Highways and Traffic Orders Committees, the Standards Committee and the Farms Estate Committee as detailed in the aforementioned Appendix (or to be nominated by those bodies listed thereon) be appointed for the period expiring at the date of the quadrennial elections in 2021 or as otherwise shown (subject to any change notified by the nominating body) or, in the case of parent governor representatives on the Children's Scrutiny Committee, following a ballot of eligible parent governors.

11 **Appointment of Chairs and Vice-Chairs of Committees**

Councillor Hughes to move:

"that Members shown in the Appendix circulated with the agenda of the meeting be elected Chair and Vice-Chair of those Committees as indicated therein to hold office until the date of the quadrennial Elections in 2021."

12 Public Participation: Petitions, Questions and Representations

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

SHORT RECESS

13 Petitions from Members of the Council

14 Questions from Members of the Council

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

FRAMEWORK DECISION

NIL

OTHER MATTERS

15 Cabinet Member Reports

To consider reports from Cabinet Members.

16 Minutes

To receive and approve the Minutes of the under mentioned Committees

- a Appeals Committee - 20 February, 9 March and 13 July 2020 (Pages 23 - 26)
The minutes of the 13 July 2020 will be published [here](#) shortly.
- b Audit Committee - 27 February 2020 (Pages 27 - 30)
- c Investment and Pension Fund Committee - 28 February 2020 and 19 June 2020
(Pages 31 - 42)
- d Public Rights of Way Committee - 5 March 2020 (Pages 43 - 46)
- e Standards Committee - 17 March 2020 (Pages 47 - 52)
- f Development Management Committee - 18 March 2020 (Pages 53 - 56)
- g Standards Committee (Assessment Sub Committee) - 7 July 2020 (Pages 57 - 58)
- h Appointments, Remuneration and Chief Office Conduct Committee - 21 July 2020
The minutes of 21 July will be published [here](#) shortly after the meeting.
- i Health and Adult Care Scrutiny Committee - 12 March and 16 June 2020 (Pages 59 - 68)
- j Children's Scrutiny Committee - 16 March 2020 and 9 June 2020 (Pages 69 - 76)
- k Corporate Infrastructure and Regulatory Services Scrutiny Committee - 24 June 2020 (Pages 77 - 82)

SHORT RECESS

17 Scrutiny Annual Report 2019/20 (Pages 83 - 88)

To receive the Scrutiny Annual Report, a copy of which can be viewed on the website at <https://democracy.devon.gov.uk/documents/s30368/2019-2020%20Scrutiny%20Annual%20Report.pdf> and is attached to this agenda.

NOTICES OF MOTION

18 Totnes and Littlehempston Cycle / Footpath Scheme and the Council's Cycling and Multiuse Trail (Minute 275 of 20 February 2020)

To receive and consider the recommendations of the Cabinet (Minute 478) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hodgson and referred thereto in accordance with Standing Order 8(2), namely;

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

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

Having had regard to the aforementioned, the full background and current position as set out in Report PTE/20/4 and other suggestions or alternatives considered at that meeting, **the Cabinet subsequently resolved:**

Council be recommended;

(a) that no further work is undertaken on investigating whether the footbridge could be used by the public and the development of a multi-use trail to Littlehempston and Newton Abbot; and

(b) that Compulsory Purchase Order for Bulliver Bridge should not be pursued as it cannot be justified.

19 Support to Town and Parish Councils and Speed Awareness Signs (Minute 277 of 20 February 2020)

To receive and consider the recommendations of the Cabinet (Minute 490) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Connett and referred thereto in accordance with Standing Order 8(2), namely;

Parish and Town Councils across Devon should be supported in providing the popular 'flashing or vehicle activated speed awareness' signs in their communities and the current fog of bureaucracy imposed by Devon County Council is ended.

We call for a simpler system to help and support our local communities tackle concerns about speeding vehicles by giving our local Highways Officers the authority to agree the number and location of the 'vehicle activated speed awareness' signs with Parish and Town Councils."

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report CSO/19/06 and other suggestions or alternatives considered at that meeting the **Cabinet subsequently resolved:**

that Council be recommended to note that the process by which Parish and Town Councils can fund and install their own VAS (Vehicle Activated Signs) be reviewed as part of the work of the Traffic Speed Project Group.

20 Future Meetings and Commitment to Increased Virtual Meetings

Councillor Biederman to move:

'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.

21 Diversity and Council Policy

Councillor Connett to move:

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.*
- 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.**

22 **Black Lives Matter Campaign**

Councillor Wright to move:

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;*
 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.

23 A Better Future For Local Government - Leadership and Finances

Councillor Hannaford to move:

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.

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 even 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.

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

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

Health & Wellbeing Board-

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

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

Access to Information

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

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

Interests

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

Questions from Councillors

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

Public Participation

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

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

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

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