

County Council
Thursday, 3rd December, 2020



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

25 November 2020

Your virtual attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 3rd December, 2020 at 2.15 pm.

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

Chief Executive

AGENDA

1. Introduction and Meetings Processes

Chair of the Council and Head of Democratic Services to present.

2. Apologies for Absence

3. Minutes

To approve as a correct record and sign the minutes of the meeting held on 1 October 2020.

4. Announcements

5. Items Requiring Urgent Attention

6. 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.

7. Petitions from Members of the Council

8. Questions from Members of the Council

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

FRAMEWORK DECISION

NIL

OTHER MATTERS

9. Cabinet Member Reports

To consider reports from Cabinet Members.

10. Minutes

To receive and approve the Minutes of the under mentioned Committees

(a) Appointments, Remuneration and Chief Officer Conduct Committee - 12 October and 25 November 2020 (Pages 1 - 2)

The minutes of 25 November will be published [here](#) shortly after the meeting.

(b) Development Management Committee - 21 October 2020 (Pages 3 - 6)

(c) Appeals Committee - 2 November 2020 (Pages 7 - 8)

(d) Standards Committee - 16 November 2020 (Pages 9 - 14)

(e) Procedures Committee - 17 November 2020 (Pages 15 - 20)

(f) Audit Committee - 26 November 2020

The minutes of 26 November will be published [here](#) shortly after the meeting

(g) Public Rights of way Committee - 26 November 2020

The minutes of 26 November will be published [here](#) shortly after the meeting.

(h) Investment and Pension Fund Committee - 27 November 2020

The minutes of 27 November will be published [here](#) shortly after the meeting.

(i) Children's Scrutiny Committee - 10 November 2020 (Pages 21 - 30)

(j) Health and Adult Care Scrutiny Committee - 12 November 2020 (Pages 31 - 40)

(k) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 19 November 2020

The minutes of 19 November will be published [here](#) shortly after the meeting.

BREAK

NOTICES OF MOTION

11. Future Meetings and Commitment to Increased Virtual Meetings (Minute 296 of 23 July 2020)

To receive and consider the recommendations of the Procedures Committee (Minute 97) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Biederman and referred thereto in accordance with Standing Order 8(2), namely:

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

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/18) and other suggestions or alternatives considered at that meeting the Procedures Committee subsequently **resolved**:

That Council be asked to;

- (a) note the update Report around the current legislation, the Council's Virtual Meetings and Audio-Visual capabilities and Member meetings which permit remote attendance;
- (b) welcome more flexibility in Local Government in the future which could pave the way for more people standing for Election and a more diverse Council of the future;
- (c) in light of (b) and the benefits achieved over the last few months, write to the Secretary of State for Housing, Communities and Local Government requesting a permanent change to the Legislation to support more flexible working practices in the future for Local Democracy.
- (d) ask officers to consider the most effective medium for holding a meeting in the future, supporting and encouraging remote meetings when it is appropriate to do so;
- (e) support those Members who wish to attend future meetings remotely, with relevant training and provision of necessary equipment; and,
- (f) ask Procedures, at the appropriate time, to undertake a further review of any legislative changes surrounding remote meetings and make any necessary changes to the Constitution and working practices.

12. Food Justice (Minute 313 of 1 October 2020)

To receive and consider the recommendations of the Cabinet (Minute 581a) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Aves and referred thereto in accordance with Standing Order 8(2), namely

This Council notes:

That Trussell Trust research shows three million children in the UK are at risk of hunger during the school holidays.

The Trussell Trust anticipates that ending furlough in October would trigger a rise in foodbank use of at least 61%.

Foodbank use has already dramatically increased. The Independent Food Aid Network recorded a 59% increase in demand for emergency food support between February and March 2020.

The Covid-19 emergency has exposed major health inequalities across the country with children and families suffering disproportionately.

Between March and August 2020 there has already been a 115% increase in Universal Credit claimants nationally and in Devon even greater, 165% for all claimants and 173% for 16-24 year olds.

That Government has committed to the UN Sustainable Development Goals, which have an international and domestic commitment to ending hunger by 2030.

That Government has asked Henry Dimbleby to lead on producing a National Food Strategy.

This Council believes:

No one in the UK should go hungry, not least children.

Food justice is about taking action on the causes of hunger such as affordability and availability of good nutritious food. That the stopping of furlough payments will lead to further unemployment and more food poverty as a result.

Local councils, schools and communities play a key role in supporting those that are experiencing food poverty during the Covid-19 pandemic and that should be recognised.

The Council resolves to:

1. Nominate an existing cabinet member to take on responsibility for Food Justice.

2. Commit to setting up a food partnership to work with district councils and other partners to develop a Food Action Plan.
3. Re-double its efforts to increase Free School Meal sign ups to ensure that all those who are entitled to them or need them, receive them.
4. Encourage Scrutiny to look at the extent of food poverty – map it and understand what is going on across the County.
5. Write in association with Devon MPs, to encourage Government to:
 - a) commit to legislate the existing commitment to the UN Sustainable Development Goals to end hunger by 2030;
 - b) commit funding in the next spending review for the five Sustain policies to protect children's health and increase access to nutritious food that is culturally appropriate, because the National Food Strategy will take a year to be adopted;
 - c) support our local food production and suppliers, our farming and fishing industries in Devon, to protect workers jobs so that our food supplies are sustained throughout the pandemic and any shortages or delays experienced during the EU Brexit;
 - d) increase Universal Credit so people can buy enough food;
 - e) immediately act to help those most affected.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) ask the Leader to nominate an existing Cabinet Member to take on responsibility for Food Insecurity.
- (b) support the creation of a working group within Devon County Council (DCC) to develop further understanding of the Council's role around food supply, resilience and insecurity. This will include, but is not limited to:
 - (i) Consider the development of a Devon Food Partnership using the Sustainable Food Places approach to strengthen food resilience in the county;
 - (ii) The development of a food resilience strategy for Devon County Council
- (c) encourage Scrutiny to look at the extent of food insecurity in Devon.
- (d) continue to work with Devon MPs to encourage Government to:

- (i) Support our local economy, including agriculture.
- (ii) Ensure resilience of our food supply chains.
- (iii) Support food-based initiatives that reduce health inequalities and food insecurity.

13. Devon Economy and Recovery (Minute 314 of 1 October 2020)

To receive and consider the recommendations of the Cabinet (Minute 581b) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely

The strength of the UK and Devon economy and GDP depends in the major part on the recovery of the service sectors as we are principally a service led economy. Though we also have manufacturing and production industries nationally and in Devon. It is acknowledged that our economy has contracted as a result of the pandemic and the impending Exit from the EU.

The EU has set up a £750bn Euro coronavirus pandemic recovery fund and long-term spending plans to provide grants to kick start Europe's recovery from the pandemic particularly investing in green industry and infrastructure and to target resources to recovery, resilience and transformation.

To date only £20 million of new funding to help small and medium sized businesses across England to get back on track after the pandemic has been announced by the government and this means access only to grants of between £1,000 - £5,000 for new equipment and technology and specialist advice. No funding has been allocated to the Shared Prosperity Fund to replace the loss of EU Structural Funds after Brexit.

This Council will write to the government and request it:

- to ensure that there are no new austerity measures like those introduced in 2010 after the banking crisis;
- to set up a similar well-funded fund proportionate to the size of this country to provide grants to support Britain and Devon's economic recovery resilience and transformation;
- to make grants available out of the fund to invest in and support: -
 - Devon's local food and drink production and suppliers, our farming and fishing industries in Devon, so as to protect jobs so that our food supplies are sustained throughout the pandemic and any shortages or delays experienced during the exit from the EU;
 - Devon's service sectors such as retail hospitality tourism education health human services information technology finance arts and culture;
 - Devon's shipbuilding and engineering and environmental science sectors
 - Devon's Green economy and sustainable energy production and

transport systems and to support local industry to achieve net zero carbon climate change targets set by the Paris Agreement

- Devon's blue economy - its marine environment which is aiming to become more sustainable; and,
- New infrastructure to support sustainable green and blue growth

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) that Council be recommended to take no further action at this time, given that the concerns and issues have already been raised with Government by the Council working with Team Devon including a request for funding; and

(b) to note that the Council has also approved a £6m package of investment, for consideration as part of the 2021/22 budget setting process which would support the actions as set out in the notice of motion.

14. Great South West Initiative (Minute 315 of 1 October 2020)

To receive and consider the recommendations of the Cabinet (Minute 581c) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely:

Since the abolition of the Regional Development Agency and the establishment of local LEPS economic development in the region has become fragmented. Control of public funds for economic development rest with central government on a piecemeal basis.

At the recent AGM of the Heart of the South West LEP the chair lamented that there has been no rural productivity deal for the South West and that the South West does not garner the level of support we need from the Government. He cited that attempts to deal with this by establishing the Great South West with its prospectus had failed to get the support of government.

The Council agrees to write to the government to ask it to support the Great South West Initiative and in particular:

- Give formal recognition and provide an identified Minister to link into Government.
- Provide at the very least £2million requested over three years to move forward at pace and enable it to develop full business cases across the range of topics covered in its prospectus though arguably now more is required sooner to support the recovery of the economy after the impact of the pandemic
- Support an enhanced export and investment hub.
- Recognition to a Great South West Tourism Zone; and an
- Agreement to create a rural productivity deal.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to make no further representation at this time, whilst we await a response and outcome to the recent letter sent on this matter and a meeting with the Minister for Local Government has taken place.

15. The Protection of UK Jobs and Businesses (Minute 316 of 1 October 2020)

To receive and consider the recommendations of the Cabinet (Minute 581d) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely

Council Notes With Concern

The South West region has seen some of the highest employee furlough rates in the country during the first part of the Covid-19 pandemic. Figures show that under the Government's Job Retention Scheme, 808,900 people in the region were furloughed, with take-up in the South-West of 32.1%, being the second highest for any region in England after the West Midlands.

Retail has been the sector hardest hit by mass redundancies since the pandemic began, with manufacturing, tourism, hospitality and aviation also being badly affected.

Tens of thousands of job losses have been announced, and more mass redundancies are expected in these sectors, yet they will not receive any tailored support when the Government's jobs-retention scheme is scheduled to finish at the end of October. Our country is facing an unprecedented jobs crisis. The Office for Budget Responsibility predicts that, by the end of this year, nearly one in eight of the UK's workforce will be unemployed.

The Government's current plan to end furlough outright is oversimplistic and will only exacerbate the problem - it puts millions of jobs at risk. Regions such as the South West, are as a direct result at risk of suffering from deepening inequality. Britain already has the worst regional inequalities in Europe, and without targeted action now, these are likely to get even worse.

Council Supports

The work of the Treasury select committee, that has called on the Government to "carefully consider" targeted extensions to its coronavirus job retention scheme, that is due to end for all sectors. The new 'Challenges of Recovery' report from the cross-party group of MPs,

concludes that although the retention scheme “cannot persist indefinitely” the Chancellor should consider further support measures.

Commenting on the new publication, Treasury select committee chair Mel Stride MP said: “Our second report of the inquiry focuses on emerging challenges as lockdown measures are lifted. One such challenge is to target assistance effectively at those businesses and individuals who need it. The Chancellor should carefully consider targeted extensions to the coronavirus job retention scheme and explain his conclusions.”

The new report is the second by the committee on the economic impacts of Covid-19. The first identified gaps in the Government’s financial schemes that left at least one million people unsupported. The proposals set out in the earlier June report were ignored, which led the Treasury select committee to accuse the Government of “turning its back on those who are suffering”.

The newly released report also says the Government should extend reforms to Universal Credit past their one-year cut-off, support small businesses struggling with debt and define “levelling up”.

Although the Prime Minister claims to have made reducing regional inequalities a central aim of his administration, the committee accuses his ‘levelling up’ promise of being merely an “empty slogan”.

The Chair Mel Stride MP added: “The key will be assisting those businesses who, with additional support, can come through the crisis as sustainable enterprises, rather than focusing on those that will unfortunately just not be viable in the changed post-crisis economy. As the committee has said throughout the crisis, the Chancellor must continue to show flexibility in his approach. We hope that the Treasury’s unwillingness to implement the recommendations from our first report is not a sign of how it will respond to this one.”

Council Believes That

We need a financial support system that specifically targets industries worst hit by the pandemic, seeks greater economic protections for any areas under local lockdown restrictions, and ensures incomes for people who are forced to self-isolate. Without targeted support viable businesses will fail and employment will be lost. This will extinguish any hopes of a quick economic recovery from the deep economic recession that we are facing.

Our region and the whole country is now facing a social and economic toxic shock through the threat of mass unemployment in tandem with an international health crisis from a second wave of the pandemic.

Council Resolves

To formally write to the Prime Minister, Chancellor of the Exchequer, and all

our local Members of Parliament as a matter of urgency to call again on the Government, in the strongest possible terms, to not implement its damaging blanket approach to indiscriminately sever and totally withdraw the current furlough scheme. Which fails to consider the circumstances of different regions, such as the South West, and the most effected sectors, with the deep impact on the communities that have a proud history in these industries. Therefore to urge the Government to do right by our local communities and businesses and see them through the crisis by targeting support, extra relief for lockdown areas, extend the eviction ban, adequate support for self isolators, and not pull the life raft away while the storm is still raging, to save jobs, and to potentially save lives.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) that Council be recommended, in light of recent announcements and amendments to the package of support offered to areas facing restrictions, that no letter be sent at this time; and

(b) that Council continue to monitor the economic impacts facing the Devon economy and consider the ongoing economic consequences from additional restrictions and measures that could potentially be applied to Devon and its neighbours.

16. Armed Forces

Councillor Asvachin to move:

We call upon the council to make their armed forces champions and lead officers aware of the difficulties experienced by commonwealth veterans and ensure that those who are currently experiencing problems, whether financial or immigration difficulties, are not disadvantaged whilst their applications are ongoing.

We also call upon the leader of the council to write to the Prime Minister, Kevin Forster the Minister of State for Immigration, and Johnny Mercer the Minister of State for Veterans Affairs, outlining this Councils support for all Commonwealth veterans who have served a minimum of 4 years being granted automatic and free of charge right to remain in the UK and that any veteran who completes 12 years of service to be automatically given British Citizenship.

Further, we call upon the Leader of the Council to write to our Devon MPs, on behalf of this council, to ask that they continue to press the government for a change in the legislation that affects those that have served diligently and honourably for this Country.

17. Loneliness and Isolation

Councillor Connett to move:

This Council notes that loneliness and isolation are a public health issue that must be tackled at a local, as well as at a national level. It is estimated one in ten people of pensionable age living in the Devon County Council area are likely to be classed as lonely or severely lonely. And that the Covid 19 pandemic will have increased the chronic nature of this loneliness.

This Council believes:

1. Loneliness increases the risk of heart disease and puts people at greater risk of blood clots.
2. Being chronically lonely is equivalent to smoking 15 cigarettes a day.
3. Loneliness makes people more likely to drink more alcohol, eat more and exercise less.
4. Raising awareness of the health impact of loneliness is important because it affects older people's mortality and morbidity.
5. Councillors and the authority as a whole can play a key leadership role in ensuring Devon is an area in which people maintain and forge social connections.
6. The Health and Wellbeing Board must play a central role in mapping local services and supporting local interventions to help reduce social isolation and loneliness.

Devon County Council will work at three levels to address loneliness:

One to one:

1. Improve information and advice on existing services and activities that reduce loneliness and isolation. Make sure this information is available both off and online.
2. Launch a local campaign to raise awareness of the health effects of loneliness and isolation amongst target risk groups.

Neighbourhood:

3. Set up a pilot scheme in a selected Division to map local assets for, and barriers to, keeping connected in older age. Involve local businesses, police officers and voluntary organisations in the project.
4. Involve older people, including those experiencing or at risk of loneliness, in mapping local assets, determining responses, and co-producing solutions.
5. Support the voluntary and community sector to build referral partnerships with frontline healthcare staff, fire services and social workers.

Strategic:

6. To take an active interest and role in ensuring the public health problem of social isolation in Devon is recognised and assessed.
7. To regularly measure loneliness and mapping need through Joint Strategic Needs Assessment and/or lifestyle surveys. Use this to monitor impact of interventions.
8. To ensure addressing loneliness and isolation is part of any 'ageing well' or 'mental health' or other relevant priority in the Health and Wellbeing Board's Joint Health and Wellbeing Strategy.
9. Protect subsidies for public transport for over-60s, and improve accessibility to public and community transport.
10. Agree a plan, in conjunction with the Health and Wellbeing Board's Joint Health and Wellbeing Strategy, to take action to prevent and reduce loneliness.

18. Children's Social Workers

Councillor Brazil to move:

Once again Devon's Children's Social Care Services has failed its OFSTED inspection. DCC continues to fail some of the most vulnerable, the very people we should be doing our utmost to support and protect. Cornwall Children's Social Care Services is rated excellent. In comparison Devon's children's social workers have worse terms and conditions of employment including training and career progression. Not surprisingly Devon has a high turnover of social workers and employs a higher number temporary (and more expensive) agency staff.

As a matter of urgency DCC will commit to improving the terms and conditions of employment and invest in the support of these social workers.

19. Rural Proofing

Cllr Atkinson to move:

Given the government's failure to fair fund rural Devon's schools, economy, health services, police and local government and to recognise the Great South West's Industrial strategy, this council considers the Government needs comprehensively to rethink and reform the rural proofing process across Government, to ensure that relevant policies and legislation are attuned to the needs of rural communities and rural economies like Devon.

This Council considers a reformed approach to rural proofing should be introduced and take into account the following:

- A rural assessment should take place at the start of the policy process, including engagement with rural stakeholders, and be treated as integral, rather than as an adjunct to urban-focused policy. No legislation should be brought forward without an accompanying rural

- assessment statement;
- The impact of new policies on rural areas should be systematically and consistently monitored as they are implemented. This would include an update on the performance of rural proofing across government in the Government's annual report on the implementation of the rural strategy;
 - All relevant public bodies including government, Devon County Council and the HotSW LEP should be required to rural proof, monitor and report annually on the rural impacts of relevant policies.
 - The Government should put in place the appropriate structures to facilitate a more robust rural proofing regime.
 - Agrees to write to the Government and MPs across the South West and the LEP in response to this motion.

20. Climate Change and Fossil Fuel Projects

Councillor Atkinson to move:

The UK export finance (UKEF) has used £3.5bn of public funds to support polluting projects since the government signed up to the Paris climate agreement and has directed £6bn of public money into fossil fuel projects around the world in the last decade.

It is considering requests for financial support for seven projects involving fossil fuels that may be agreed in 2021 and has received a further 10 applications for trade finance support in the sector.

Britain must lead by example by urgently aligning our stated net zero priorities at home with our practices abroad in view of our COP presidency next year. The government's seeming willingness to pump billions of pounds of UK public money into overseas oil and gas demonstrates a reckless and inconsistent approach to climate action.

Devon County Council calls on the government to:

- end all financing for new foreign fossil fuel projects immediately or risk undermining its own commitment to tackling the global climate crisis; and,
- change the mandate of its credit agency, UK export finance (UKEF), to stop offering billions of pounds in financial support to companies that bid for work on fossil fuel projects overseas despite a pledge to be carbon neutral at home.

21. Public Sector Pay

Cllr Atkinson to move:

Research from the Institute for Fiscal Studies showed that public sector pay is 1.5% lower than in 2010 after inflation, and among the lowest levels relative to private sector earnings in decades.

Devon County Council:

- deplores the governments renewed squeeze or pay freeze on public sector pay and should not be attacking public sector workers who have done much to support the emergency response to the coronavirus pandemic;
- considers this will seriously affect morale and services at DCC;
- will exacerbate difficulties with hiring workers and retaining existing employees; and,
- agrees to write to the Government to and local MPs to ask it to not implement this.

22. The British Horse Society - Dead Slow Campaign

Cllr Hannaford to move:

Council notes with concern that:

Numbers of road collisions involving horses in the South West are higher than anywhere else in the country, according to the latest figures.

New statistics released by the British Horse Society (BHS) show that 203 incidents were reported to the charity during 2019-20, down slightly from 239 in 2018-19.

Devon reported over half of the overall total with 104 incidents, one human fatality and 33 horse fatalities, also making it the county with the highest equine fatality rate in the UK.

The BHS has collated incident statistics to tie in with Road Safety Week (November 16-22) run by Brake, the road safety charity, to understand the rate of incidents involving horses on UK roads.

Of the 1,037 incidents reported nationally, 80 horses have died and 136 have been injured.

Furthermore, the BHS reveals that 81% of them occurred due to vehicles passing by too closely and close to half (43%) of riders were subject to road rage or abuse. It adds that 40% of incidents occurred because a vehicle passed by too quickly.

Overall since November 2010, 4,774 road incidents have been reported to the BHS, 44 people have lost their lives and 1,220 have been injured, and 395 horses have been killed, with another 1,080 injured.

Council supports:

The Dead Slow campaign that can be visited at the website [bhs.org.uk/dead slow](https://bhs.org.uk/dead-slow), consists of four key behavioural change messages to drivers in relation to horses and riders:

- Slow down to a maximum of 15mph;
- Be patient – I won't sound my horn or rev my engine;
- Pass the horse wide and slow (if safe to do so), at least a car's width if possible;
- Drive slowly away.

Council resolves:

With the documented increase in speeding incidents we support the charity in urging drivers to be very careful when passing horses on the road, and for them to adhere to its Dead Slow campaign messages.

We join with the BHS to encourage all riders and horse owners to report their incidents to the charity at www.horseincidents.org.uk .

Furthermore, as Devon's highways authority we will aim to work with horse owners & riders, local communities, District, Town and Parish Councils, charities and others to wherever possible promote this campaign, in tandem with other measures such as better signage, to achieve behavioural change and secure better equine safety for all.

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Declarations of Interest for Members of the Council

It is to be noted that Members of the Council 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.

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