

County Council
Thursday, 18th February, 2021



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

10 February 2021

Your attendance is requested at the Meeting of the Devon County Council to be held Virtually via Microsoft Teams on Thursday, 18th February, 2021 at 2.15 pm.

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

Chief Executive

AGENDA

1. Meeting Processes

The Chair 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 3 December 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

9. **Revenue Budget and Medium Term Financial Strategy 2021/22 - 2024/25 and Capital Programme 2021/22 - 2025/26** (Pages 1 - 24)

In the exercise of its Public Sector Equality Duty, as set out below, the County Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required. The overview of the impact assessments for all service areas entitled '2021/22 Budget Impact Assessment' has been circulated separately and is available to all Members of the Council for consideration under this item (alongside any specific equality impact assessments undertaken as part of the budget's preparation) at <https://www.devon.gov.uk/impact/budget-2021-2022/>.

To receive and approve the Report of the County Treasurer (CT/21/17) together with the Minutes of the Cabinet held on 12th February 2021 relating to the budget and the Scrutiny Budget Resolutions from 28th January 2021, attached.

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

The Report of the County Treasurer will follow.

The Cabinet Minutes will be available to view at <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=133&MId=3838&Ver=4> shortly.

Electoral Divisions(s): All Divisions

BREAK

10. **Pay Policy Statement 2021/2022** (Pages 25 - 34)

To receive and approve the Councils Pay Policy Statement, as recommended by the Appointments, Remuneration and Chief Officer Conduct Committee (20 January 2021) (Minute 82 refers). The minutes and Pay Policy Statement are attached.

Electoral Divisions(s): All Divisions

OTHER MATTERS

11. **Cabinet Member Reports**

To consider reports from Cabinet Members.

12. Minutes

To receive and adopt and / or approve the Minutes of the under mentioned Committees

- (a) Development Management Committee - 2 December 2020 (Pages 35 - 38)
- (b) Appeals Committee - 7 December 2020 and 1 February 2021 (Pages 39 - 42)
- (c) Procedures Committee - 2 February 2021 (Pages 43 - 46)
- (d) Appointments, Remuneration and Chief Officer Conduct Committee - 20 January 2021 (Pages 47 - 50)
- (e) Children's Scrutiny Committee (Ordinary Meeting) - 25 January 2021 (Pages 51 - 56)
- (f) Health and Adult Care Scrutiny Committee (Ordinary Meeting) - 26 January 2021 (Pages 57 - 64)
- (g) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 28 January 2021 (Pages 65 - 70)

BREAK

NOTICES OF MOTION

14. Armed Forces (Minute 331 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(a)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Asvachin and referred thereto in accordance with Standing Order 8(2), namely:

'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'

Having had regard to the aforementioned, any factual briefing/position statements on the matter as set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

That Council

- (a) notes the work to date of Officers and the Council's Armed Forces Covenant (AFC) Lead Member in terms of their involvement in and contribution to the Consultation about the forthcoming legislation to enshrine the Armed Forces Covenant in Law and that Officers and the Council's AFC lead Member continue to work with "Forces Connect South West" (consortium of SW Councils) on matters concerning AFC including Commonwealth Veterans;
- (b) welcomes this impending legislation and will act upon its requirements as soon as has become enshrined in law;
- (c) recognises the situation regarding Commonwealth Veterans and therefore asks the Leader to write to Kevin Foster MP (Minister for Immigration) and Johnny Mercer MP (Minister of State for Veteran Affairs) asking that Commonwealth members of the Armed Forces be given adequate guidance on the steps required to obtain legal immigration status in Britain ahead of leaving their Service, in particular,
 - (i) that a longer period for application for leave to stay (12 - 18 months rather than currently the case where this must happen before or immediately upon leaving service);
 - (ii) during this period, they have the same rights that they had when in Service e.g. register with GP and find work;
 - (iii) apply for assistance from Local Authorities. (i.e. Housing); and
 - (iv) that the process of immigration in these cases is sped up with fair and affordable administrative charges.
- (d) continues to implement and apply policies that support former Armed Forces personnel and reservists as well as understanding the issues that veterans, reservist and their family members face and continue to work towards 'Gold' status in the Defence Employer Recognition Scheme, with improving the provisions of career based and personal support even more; and
- (e) ask the Corporate Infrastructure and Regulatory Services Scrutiny Committee to consider the issues in more depth, building on its previous task group work relating to the Armed Forces Covenant.

15. Loneliness and Isolation (Minute 332 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(b)) 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:

‘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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that the Council be recommended to support and promote the actions outlined in [Devon's Charter to End Loneliness](#)'.

16. Children's Social Workers (Minute 333 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(c)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Brazil and referred thereto in accordance with Standing Order 8(2), namely:

'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'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that Council be asked to support the recent Cabinet proposals to improve the recruitment and retention of qualified social workers in Devon'.

17. Rural Proofing (Minute 334 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(d)) 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:

‘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 councils 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 HoSW 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; and
- Agrees to write to the Government and MPs across the SW and the LEP in response to this motion’.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) to await the publication of the Government report and when this is issued, review accordingly and provide a Devon County Council response, using the Notice of Motion to help guide that response, seeking input from partner organisations and evidence where relevant, highlighting the rural opportunities and challenges across a number of service areas;

(b) note the issues previously identified by the Council that require addressing in relation to rural proofing; and

(c) to follow up, as appropriate, on any matters arising.

18. Climate Change and Fossil Fuel Projects (Minute 335 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(e)) 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 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'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to take action as follows:

(a) Whilst supporting the objectives of facilitating international trade and assisting viable UK export businesses, Council shares the concern highlighted by the Notice of Motion about the environmental consequences of UK trade finance support directed towards the fossil fuel sector; and

(b) Call on Government to accelerate the change in policy and approach through UK Export Finance to achieve consistency with the international commitment to tackle climate change as well as the UK's own net zero

carbon target and the recently published Ten Point Plan for a Green Industrial Revolution.

19. Public Sector Pay (Minute 336 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(f)) 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:

‘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 M.P’s to ask it to not implement this’.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council

- (a) recognise and is very appreciative of the work of the Local Government workforce in response to the Pandemic and also believes it is important to try to maintain pay parity across the public sector and with the NHS;
- (b) notes there are specialist areas within the Local Government workforce where professional shortages significantly impact on service delivery, such as teachers, social workers, engineers and solicitors and a decline in the pay and conditions of the public sector workforce will not help with recruitment and retention and the perceived value society puts on the local government; and
- (c) through the Leader of the Council, will write to Devon MP’s to request they encourage proposals which support pay parity, to ensure that the Public Sector is held in equal value and doesn’t fall behind the NHS.

20. The British Horse Society - Dead Slow Campaign (Minute 337 of 3 December 2020)

To receive and consider the recommendations of the Cabinet (Minute 615(g)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hannaford and referred thereto in accordance with Standing Order 8(2), namely:

Council notes with concern that:

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, consists of four key behavioral 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 horseincidents.org.uk.

Furthermore, as Devons 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 behavioral change and secure better equine safety for all'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/1) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to;

(a) work with local communities, through partnerships with other agencies, and on-line to support the BHS in urging drivers to be very careful when passing horses on the road, and for them to adhere to its Dead Slow campaign messages;

(b) join with the BHS to encourage all riders and horse owners to report their incidents to the charity at horseincidents.org.uk;

(c) undertake a study of the detailed data from the BHS of the reported equestrian incidents within the county; and

(d) use the results of the study to identify any problem areas and patterns for signing intervention to improve driver awareness and to target education.

21. Election Voting System

Councillor Shaw to move:

This County Council regrets that under the current first-past-the-post system for electing councillors:

1. A large proportion and usually the majority of the votes cast do not help to elect a councillor, meaning that many voters see their votes wasted over many successive elections.
2. This situation discourages participation in the electoral process since many people see no point in voting.

3. A party is able to gain an overwhelming majority on the Council despite receiving only a minority of the votes across the county, reducing voters' faith in the fairness of elections.

In this light, this Council welcomes the new legislation agreed by the Welsh Assembly to allow councils to choose to change their voting system to the proportional Single Transferable Vote system, which is already used for local elections in Scotland and Northern Ireland. This Council calls on the Government to introduce similar legislation for England so that we can make a choice of the best system for the people of Devon.

22. Elections - Campaigning

Councillor Shaw to move:

This County Council regrets the Government's decision to continue with elections in May as planned, despite the difficulties of organising this safely for voters or polling staff, while banning leafleting and canvassing and failing to make postal voting easier.

In order to ensure the safe and equitable running of the elections, this Council calls on the Government to facilitate (1) online registration for postal voting, and (2) a free postal delivery of leaflets for each council election candidate.

23. Climate and Ecological Emergency Bill

Councillor Hodgson to move:

'In line with our formal declaration of a climate and biodiversity emergency, and our commitment to actions to change behaviour to address the causes of this situation and mitigate the impacts, this Council supports the Climate and Ecological Emergency Bill proposed by a coalition of scientists, academics and lawyers with the aim of bringing the UK's climate policy into one with evolving scientific evidence. This proposed Bill is also supported by 96 cross-party members of parliament. Nationally we need a strong legislative framework that embeds the Government's targets in law, enabling us as supportive players, to plan and develop our future trajectories, to fit in with those targets.

Council therefore resolves to:

- i. Support the Climate and Ecological Emergency Bill
- ii. Inform the local media of this decision;
- iii. Write to local MPs, asking them to support the Bill; and
- iv. Write to the [CEE Bill Alliance](#), the organisers of the campaign

for the Bill, expressing its support (campaign@ceebill.uk)’.

24. Beach Breaks, Mental Health and Support of Initiatives

Councillor Biederman to move:

‘This Council recognises that many children in Devon have never been to the Beach or because of financial limitations on families can often find it beyond their means.

Visiting a beach can have fantastic health benefits for young people and their family, particularly their mental health, as well as connecting them with our beautiful environment, if communities are better connected to our natural environment, they will be more inclined to preserve it for future generations.

Pensioners can access the beaches with their free bus pass, we believe this should also be available to our young people.

So, this Council commits to work with our travel partners to provide vouchers to families on low incomes for free travel to the beach at weekends and/or during school holiday periods.

Cabinet are asked to provide a budget to support this, from the public health budget.

We also lobby Government for more Public Health Funding to help support these type of initiatives’.

25. Sustainable future funding for Local Welfare Assistance

Councillor Atkinson to move:

This Council notes that:

1. Until 2013, emergency financial assistance was principally provided by central Government through the Discretionary Social Fund.
2. From 2013, the Government implemented wholesale reform of the Discretionary Social Fund. Some parts were kept, however, the government abolished Crisis Loans (other than Alignment Payments) and Community Care Grants.
3. Responsibility for emergency financial assistance was devolved to the local level and funding transferred to local authorities in England on a non-ring-fenced basis, with the intention that they establish their own Local Welfare Assistance (LWA) Schemes to support local people facing a crisis.
4. The Government then decided that from 2015/16 onwards there would be no separate LWA funding stream. Instead, it would become part of

the general Revenue Support Grant that central government provides to councils to support their spending on any local services.

5. In the intervening years, with reduced overall funding for councils, a lack of guidance from central government, and the absence of a statutory requirement for local authorities to deliver emergency financial assistance, local authorities faced difficult decisions about funding and maintaining LWA schemes. In many areas local welfare provision was either significantly reduced or closed completely.
6. In 2020/21, in response to significant levels of need during the COVID-19 pandemic, Government provided additional funding to local authorities to deliver emergency financial assistance. £63million was provided through the Local Authority Emergency Assistance Grant for food and essential items, whilst a further £170million was provided through the COVID Winter Support Scheme.

This Council believes that:

1. As a result of the COVID-19 pandemic and its economic impacts, we can expect there to be significant ongoing need for emergency financial assistance, with many families in this country at some time facing a 'financial crisis' point – a financial problem which puts the immediate health and wellbeing of family members at risk.
2. If properly resourced, local authorities are uniquely placed to support residents facing financial crisis, with LWA schemes central to that support. Local schemes can be underpinned by the existing knowledge that councils have of need in their communities, alongside the relationships they hold with local voluntary and community sector partners.
3. Whilst local authorities have other mechanisms such as Discretionary Housing Payments and Local Council Tax Support Schemes to support low income households, Covid-19 has demonstrated how important it is for Councils to have the capacity to deliver timely and discretionary emergency support to households reaching crisis point.
4. Central Government should therefore provide sustainable, long-term funding for local welfare assistance- to give councils the confidence and certainty that they need to develop an effective local welfare offer.

This Council, therefore, resolves:

1. To [establish/maintain] a Local Welfare Assistance Scheme to support residents facing financial crisis.
2. To campaign for a new funding allocation for councils from central government to provide Local Welfare Assistance schemes to be made available at the next comprehensive spending review and protected in real terms over the following years.
3. To write to the Chancellor, the Secretary of State for Housing, Communities and Local Government and Secretary of State for Work and Pensions to request that they make such a funding allocation

available to local authorities.

26. Use of Neonicotinoids

Councillor Wright to move:

This Council regrets the Government's u-turn on using neonicotinoids, banned under EU law, and which have proved to be damaging to our vital bee population, other insects and birds and water courses.

This Council calls on the Government to urgently reverse its decision.

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Committee Terms of Reference

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Members of the public may also use social media to report on proceedings.

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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Induction Loop available



CHILDREN'S SCRUTINY COMMITTEE

25 January 2021

Present:-

Councillors R Hannaford (Chair), D Sellis (Vice-Chair), S Aves, F Biederman, J Brazil, C Channon, I Chubb, G Gribble, J Hawkins, L Hellyer, R Hosking, T Inch, A Saywell, M Squires, A Connett and P Sanders

Apologies:-

C Mabin (Church of England Diocesan representative)

Members attending in accordance with Standing Order 25

Councillors Chugg, Dewhirst, Hart and McInnes

* 197

Minutes

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

* 198

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 199

Public Participation

There were no oral representations from Members of the Public.

* 200

Budget 2021/22 and Capital Programme for 2021/22 to 2025/26

The Committee noted that the proposed budget for the 2021/22 financial year would be scrutinised by individual Scrutiny Committees.

The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present any relevant resolutions and an overview of those issues arising to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny would be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine

Agenda Item 9.

CHILDREN'S SCRUTINY COMMITTEE
25/01/21

them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the joint report of the County Treasurer and the Chief Officer for Children's Services (CT/21/03) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included inflation, commitment and service prioritisation reductions. The Report also detailed the proposed medium-term capital programme for Children's Services and how it was funded.

The Cabinet, at its meeting of 9th December 2020, had set Revenue Budget targets for 2021/22. That Report had also updated on the recent Spending Review (SR2020) and presented Budget Targets for 2021/22, which were set out in full at paragraph 3 of its Report and represented an overall increase of £28.4 millions or 5.2% (based on Revenue Spending Targets for 2021/22 of just over £571 millions).

In terms of the Spending Review 2020, this confirmed a one-year spending review, not the three years hoped for, but with the economic and financial impact of the Pandemic this had been reduced to one year.

This Report also outlined the key messages from SR2020 that would impact next year's budget. Some of these included:

- Core Spending Power to increase by 4.5%;
- A new Social Care grant of £300 millions (nationally);
- The Council Tax increase that would trigger the need for a referendum was 2%;
- The option to set an Adult Social Care Precept of up to 3%;
- Current Social Care grants would continue next year;
- A public sector pay freeze, except for those earning less than £24,000;
- The National Living Wage would increase by 2.2% to £8.91 per hour;
- A grant of £670 million nationally to offset some of the impact of the Pandemic on the Council Tax Base;
- A Council Tax Income Guarantee Scheme to compensate authorities for 75% of irrecoverable losses in the current year;
- The current New Homes Bonus scheme would continue;
- The Fairer Funding Review, 75% Business Rate Retention and Business Rates Reset had been delayed; and
- COVID funding of £1.55 billions nationally; along with the continuation of the 75% COVID Sales Fees and Charges compensation scheme into the first quarter of 2021/22.

A number of grants (likely ringfenced) had also been announced including Cyber Security modernisation, Test and Trace, Personal Protective

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Equipment, Rough Sleepers, Domestic Abuse, Troubled Families, School Transport Capacity, Secure Children's Homes, Social Housing Decarbonisation, Roads Maintenance & upgrades, Cycling, High Street Regeneration and Levelling up for local infrastructure.

The Capital Programme for 2021/22 to 2025/26 would be presented to Cabinet at the February Budget meeting.

However, at the Cabinet meeting on the 13th January, revised spending targets were presented following the Provisional Settlement for 2021/22 which was received on the 17th December.

The Provisional Settlement for the County Council was as follows:

£000

Revenue Support Grant	549
Business Rates Central Government Top Up	80,654
New Homes Bonus	2,486
Rural Services Delivery Grant	7,823
Social Care Support Grant SR20	3,149
Social Care Support Grant SR19	20,160
Improved Better Care Fund	28,270
Covid-19 Funding	14,823
Council Tax Support Grant	6,358

Notwithstanding the targets set by Cabinet in December (Revenue Spending Targets of just over £571 millions), much had happened, including a new variant of the Coronavirus and another national lockdown which had led to a review of those Targets.

The proposed changes were:

- reducing the planned savings by £3.7 millions across Adult Care & Health, Children's Services and Highways, Infrastructure and Waste;
- an additional Investment of £302,000 in Legal Services to support Children's Services and Risk Management to support the whole organisation; and
- an additional £3.3 millions to fund the cost of the 2.2% increase in the National Living Wage.

In summary, the proposed Budget Targets had increased by just under £7.3 millions to nearly £578.5 millions, an increase of 6.6% on the 2020/21 Budget.

The revised Budget Targets for 2021/22 were as follows.

The budget for Adult Care & Health was £282,435 millions, a net change of £21.6 millions or 8.3%. For Children's Services, this was £158,267 millions,

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the net change being £11,398 millions (7.8%). Community Health, Environment & Prosperity was £39,873 millions, with the net change of £81,000 or 0.2%. For Corporate Services £40,387 millions, a net increase of £2,821 millions (7.5%) and in relation to Highways, Infrastructure Development & Waste £57,520 millions, a decrease of £307,000 (-0.5%).

The Committee were reminded that its consideration of the draft Children's Services budget was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 12 February 2021 formulating a budget for consideration by the County Council on 18 February 2021.

The Chief Officer and Heads of Service commented on the likely implications of the 2021/22 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Leadership Group commentary in the Report referred to the difficulties experienced in the past 12 months, the associated costs with responding to the COVID-19 pandemic, and preparations to support residents and businesses to leave the EU. Teams across the Council had worked fast to adapt and establish new ways of working to continue delivering services and information to the people of Devon. The overall financial impact of leaving the EU on Devon's local economy - alongside the impact of COVID-19 - was still largely unknown and supporting the local business community remained a priority for the Council.

The Head of Services referred to service specific issues as outlined in the Report, including:

Children's Social Care:

- the greatest cost pressures were driven by increasing levels of demand with more children in care, often with complex needs;
- the budget for Children's Social Care had increased next year, to account for high cost areas such as placements for care, short breaks and community based packages for disabled children, and to address improvements identified as a result of the OFSTED inspection around staffing, providing support for Care Leavers, investment in quality assurance, and to take forward SEND plan; and,
- improvements in salaries had been made to front line services to reduce the high dependency on agency staff.

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School Funding:

- Dedicated School Grant (DSG) - nationally there was an increase in funding and for the first time Devon schools would be in receipt of every element of the national funding formula. However, this still meant Devon was one of the lowest funded Local Authorities (122 of 150 authorities), as weighting was given to the number of disadvantaged and Free School Meal pupils, which was not seen in all Devon areas.
- Within the DSG there was significant cost pressure related to the SEND High Needs service. This was largely due to continued increases in the number of children with an Education Health and Care Plan (EHCP).
- There was continued pressure on school Transport within the Council's General Fund due to an increase in personalised transport required for children with SEND.
- There was continued pressure on schools in responding to COVID-19 and the associated costs. Government had provided some reimbursement but would not fully recognise costs incurred by schools; the F40 group continued to lobby government.
- High Needs Block – Devon was ranked 122 out of 150 councils based on funding for high needs. The Council currently received £599 per head of population aged 2-18 years; however, the Council funded up to age 25 years. The England average was £623 per population. The funding did not consider the number of children with an EHCP, which Devon had more than the national average.
- The Council was working with Devon schools to support more children in mainstream education settings; however, there were a large number of pupils that required special school settings, with placements in the independent sector increasing the pressure on budgets.
- An additional 300 school places had been secured through capital investment and a special free school bid, increasing the capacity in the mainstream special school capacity by 20% and further reducing the reliance on in the independent sector.

The Report also contained the detailed budget proposals for Children's Services prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services. The Children's Services base budget was £158,267 millions (an increase of 7.8% from 2020/21), and included inflation and pressures of £13,787 millions and required savings and income initiatives of £2,389 millions.

Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

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The Report before the Committee referred to the [Budget 2021/22 Impact Assessment](#), circulated prior to the meeting, giving an overview of the impact assessments for all service areas for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

- It had been a difficult year to model the likely trajectory for some areas of demand, given the impact of the COVID-19 pandemic. This financial year had seen an increase in the number of children coming into care in Devon, there had been some delay of children leaving Care due to the pandemic, and the impact of the pandemic on families had caused considerable hardship. It was difficult to know full impact of the pandemic on families and communities in Devon at this time.
- There was a high level of risk on service areas if the level of demand in the community continued – especially with a new longer lockdown, and the new variant strain of the virus, which created a lot of unknowns.
- Public Health Nursing (PHN) vacancies - staffing remained a challenging position since the Service returned inhouse, which had impacted on performance. Vacancy rates were 21.5% and the Service had developed a recruitment strategy, offering incentives to recruit in those areas which were still struggling. It was expected that vacancy rates would drop to 8% by next month. After the first lockdown, there had been a number of interests from people wanting to move down to Devon.
- Savings had been made in PHN due to changes in running costs this year, such as mileage and the use of ICT to facilitate new ways of working.
- There was a national shortage of Public Health Nurses and a Government review was looking into bursary arrangements to encourage more people into PHN training. The Committee noted its support in writing to Government to support the recruitment of public health nurses.
- The transitioning of children to adult services had continued despite challenge dues to the pandemic.
- Social care costs in Devon being more per child than other local authorities. The Council undertook continuous value for money comparisons against other authorities, using comparative systems and

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auditing. In monitoring the unit costs for residential and fostering placements, the Council did receive good value for money. The Committee agreed to undertake further work into this area, around value for money and comparator information in children's social care.

- Residential support and inhouse placements - The Council supported children to remain with their birth families wherever possible. Where children were placed in care, 77% of children were placed in family placements and inhouse foster carers. The Council had an excellent relationship with the local provider network and was committed to providing good value placements for Devon children in Devon. The Council had seen an increase in the number of children coming into care rather than an increase in placement costs.
- The number of children placed outside of Devon had decreased; however, those that were tended to be placed in neighbouring authorities.
- School transport was a service for children and not schools, and therefore remained a responsibility of the LA. The Committee considered the additional cost of school transport for a rural authority like Devon.
- The need for longer term funding and a strategy for inclusion.

The Committee placed on record its thanks to all staff and officers within Children's Services for their continued hard work and dedication throughout this year and during the COVID-19 pandemic.

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

RESOLVED that the Children's Scrutiny Committee:

Welcomes and supports

1. The endeavours taken in financial planning by the Service and subsequently the £11.398 millions overall increase in the budget for Children's Services, specifically:
 - a) £5.3 millions for looked after children;
 - b) £1.7 millions to increase staffing capacity for Corporate Parenting and other front line teams;
 - c) £791,000 for inflationary pressures;
 - d) Planned savings of £2 millions.
2. The lobbying efforts of this Council to receive fair funding for Devon Schools.
3. Capital spend to create 300 additional places for children with Special Educational Needs.

Record concern:

4. Cabinet to satisfy itself about the realism of working to the 'best case scenario' considering the longer term impacts the COVID-19 Pandemic

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will have on the demand for services and subsequent pressures on the Children's Services budget.

Cabinet be asked to:

5. Lobby Government to:
 - A. Provide additional support for public health nursing
 - B. Address the SEND high needs funding block deficit
 - C. Provide funding based on the number of EHCPs not solely deprivation.
 - D. review year on year funding arrangements and grant based initiatives to support financial certainty and longer-term planning particularly regarding early help and inclusion.
 - E. Streamline the grant application process
6. Continue to reduce the vacancy rate for public health nursing with a view to achieve a full complement of staff.
7. Explore future opportunities for in-house provision for residential children's care.
8. Consider greater work on modelling determinants of demand in future years to support more accurate predictions in areas of spend; whilst acknowledging that Children's Services is a demand led service.
9. Consider rurality when funding school transport.

For the work programme:

- Future scrutiny work on value for money comparisons with other authorities – particularly those authorities who are highly rated by Ofsted.
- Further understanding of mental health support
- School Transport cost developments

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

The Meeting started at 10.00 am and finished at 12.36 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

26 January 2021

Present:-

Councillors S Randall-Johnson (Chair), H Ackland (Vice-Chair), M Asvachin, J Berry, P Crabb, R Peart, S Russell, P Sanders, A Saywell, M Shaw, R Scott, J Trail, P Twiss, N Way, C Wright and J Yabsley

District Councils

Councillor L Evans

Members attending in accordance with Standing Order 25

Councillors A Dewhirst and A Leadbetter

* 219 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* 220 **Public Participation**

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged representations from Gerald Lavers, Christine Lavers, GERALYN ARTHURS, Councillor David Cox (Teignbridge District Council) and John Smith on a matter to be considered by the Committee, namely 'Modernising Health and Care Services in the Teignmouth and Dawlish Area' (Minute 214* refers). They highlighted their concerns relating to the consultation proposals and process (for a range of reasons) and need to retain services at the hospital and the lack of inpatient/nursing beds in the area.

* 221 **Budget 2021/2022**

(Councillor A Leadbetter attended the meeting in accordance withstanding Order 25 and spoke to this item with the consent of the Committee and referred to the dedicated work of Health and Adult Services management and staff and all partners during the pandemic and the welcome increase in the proposed budget for Services; and Councillor A Dewhirst also attended and spoke to this item in relation to young people transitioning into Adult Care and cost implications)

The Committee noted that the proposed budget for the 2021/22 financial year would be scrutinised by individual Scrutiny Committees.

The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present any relevant resolutions and an

overview of those issues arising to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny will be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the joint report of the County Treasurer and the Chief Officer for Adult Care and Health Services and Director of Public Health (CT/21/04) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included the estimated impact of inflation, national living wage, demographic growth, contractual or legislative pressures and any other service developments or investment, and proposed budget savings. reductions. The Report also detailed the proposed medium-term capital programme for the Adult Care and Health Service noting that there was no service need for new projects funded from capital resources and this would be kept under review.

The Cabinet, at its meeting of 9th December 2020, had set Revenue Budget targets for 2021/22. That Report had also updated on the recent Spending Review (SR2020) and presented Budget Targets for 2021/22, which were set out in full at paragraph 3 of its Report and represented an overall increase of £28.4 millions or 5.2% (based on Revenue Spending Targets for 2021/22 of just over £571 millions).

In terms of the Spending Review 2020, this confirmed a one-year spending review, not the three years hoped for, but with the economic and financial impact of the Pandemic this had been reduced to one year.

This Report also outlined the key messages from the Spending Review 2020 that would impact next year's budget. Some of these included:

- Core Spending Power to increase by 4.5%;
- A new Social Care grant of £300 millions (nationally);
- The Council Tax increase that would trigger the need for a referendum was 2%;
- The option to set an Adult Social Care Precept of up to 3%;
- current Social Care grants would continue next year;
- A public sector pay freeze, except for those earning less than £24,000;
- The National Living Wage would increase by 2.2% to £8.91 per hour;

- A grant of £670 million nationally to offset some of the impact of the Pandemic on the Council Tax Base;
- A Council Tax Income Guarantee Scheme to compensate authorities for 75% of irrecoverable losses in the current year;
- The current New Homes Bonus scheme would continue;
- The Fairer Funding Review, 75% Business Rate Retention and Business Rates Reset had been delayed; and
- Covid funding of £1.55 billion nationally; along with the continuation of the 75% Covid Sales Fees and Charges compensation scheme into the first quarter of 2021/22.

A number of grants (likely ringfenced) had also been announced including Cyber Security modernisation, Test and Trace, Personal Protective Equipment, Rough Sleepers, Domestic Abuse, Troubled Families, School Transport Capacity, Secure Children's Homes, Social Housing Decarbonisation, Roads Maintenance and upgrades, Cycling, High Street Regeneration and Levelling up for local infrastructure.

The Capital Programme for 2021/22 to 2025/26 would be presented to Cabinet at the February Budget meeting.

However, at the Cabinet meeting on the 13th January 2021, revised spending targets had been presented following the Provisional Settlement for 2021/22 which had been received on the 17th December 2020.

The Provisional Settlement for the County Council was as follows;

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Revenue Support Grant	549
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Social Care Support Grant SR20	3,149
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Covid-19 Funding	14,823
Council Tax Support Grant	6,358

Notwithstanding the targets set by Cabinet in December (Revenue Spending Targets of just over £571 millions), much had happened, including a new variant of the Coronavirus and another national lockdown which had led to a review of those Targets.

The proposed changes were;

- reducing the planned savings by £3.7 millions across Adult Care and Health, Children's Services and Highways, Infrastructure and Waste;

- an additional Investment of £302,000 in Legal Services to support Children's Services and Risk Management to support the whole organisation; and
- an additional £3.3 millions to fund the cost of the 2.2% increase in the National Living Wage.

In summary, the proposed Budget Targets had increased by just under £7.3 millions to nearly £578.5 millions, an increase of 6.6% on the 2020/21 Budget.

The revised Budget Targets for 2021/22 were as follows.

The budget for Adult Care & Health was £282.435 millions, a net change of £21.6 millions or 8.3%. For Children's Services, this was £158.267 millions, the net change being £11.398 millions (7.8%). Community Health, Environment and Prosperity was £39.873 millions, with the net change of £81.000 or 0.2%. For Corporate Services £40,387 millions, a net increase of £2,821 millions (7.5%) and in relation to Highways, Infrastructure Development & Waste £57.520 millions, a decrease of £307.000 (-0.5%).

The Committee was reminded that its consideration of the draft Health and Adult Social Care Services and Public Health budgets was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 12 February 2021 formulating a budget for consideration by the County Council on 18 February 2021.

The Chief Officer for Adult Care and Health Services and Director of Public Health commented on their respective budgets and likely implications of the 2021/22 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands. In order to deliver budget targets in Adult Care and Health Services budget savings were required but the amount in the 2021/22 budget was one of the lowest savings figures in recent years. The Public Health service was predominantly funded by a ring-fenced grant from the Department of Health and Social Care and was yet to be announced.

The Leadership Group commentary in the Report referred to the continuance of a further £8.621 millions from the improved Better Care Fund the deployment of which was subject to agreement with NHS partners to meet adult social care needs, reducing pressures on the NHS – including reducing delayed transfers of care; and stabilising the social care provider market. The Budgets also included £35.546 millions of the BCF funding which contributed directly to the provision of social care services.

The Chief Officer and the Locality Director, North and East Care (Care and Health) referred to the need to secure market sufficiency in care homes and

personal care and the work force which continued to be a challenge and which impacted on the wider care system.

The Report also contained the detailed budget proposals for Adult Care and Health, and Public Health, prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services. The Adult Care and Health Services base budget was £282.435 millions (a net increase of 8.3% from 2020/21), and included inflation and pressures of £26.235 millions and required savings and income initiatives of £4.557 millions.

Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

The Report before the Committee referred to the Budget 2021/22 Impact Assessment, circulated prior to the meeting, giving an overview of the impact assessments for all service areas (available at: <https://www.devon.gov.uk/impact/published/> for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting in discussion with the Officers and Members included:

- the remaining uncertainties and implications for the next financial year arising from collection rates by the District Councils (collection authorities) and impact on the Council tax base as a result of the pandemic;
- the Better Care Fund and pooled resources and transparency in relation to improved and integrated care arrangements;
- in regard to Public Health:
 - the final settlement relating to the ring fenced grant was still awaited (with budgeted gross expenditure of £29.536 millions);
 - transfer of responsibilities to Community Services for community safety, violence prevention and social exclusion;
 - impact of the sexual health and alcohol substance abuse budgets where referrals by GPs had decreased during the pandemic; and

- the impact of the pandemic and continued challenges for Public Health and supporting and complementary working with all the other County Council service areas and with the independent sector to add value across the board.
- In regard to Health and Adult Social Care:
 - unavoidable cost pressures relating to the living wage and staffing across social care the complex needs of service users and future uncertainties as a result of the pandemic relating to for example mental health; and the superb performance of the work force across the health and social care system during the pandemic;
 - new contracts going forward would include a minimum £10 per hour rate for all contracted providers for their workforce;
 - social care and health working in integrated teams to address individual and complex needs;
 - the process and work to ensure fair use by adult social care and NHS health services of the BCF pooled resources;
 - within the Risk Assessment consideration of re-wording of risk 9 with more emphasis on service user needs;
 - the impact of the workforce as a result of Brexit (on which further information was requested by members when available) and the need to flag up the requirement for EU nationals to apply for 'settled status' on which a study paper had been published;
 - the mental Health Strategy and Action Plan to reduce long term interventions and promote prevention;
 - cost implications of young people transitioning into adult care services where individual assessments would be made involving both social and health services;
 - changes in Day Care services for example to promote more cost effective alternatives to promote independence to improve outcomes and generally with a 'place' focus approach;
 - reasons relating to increased numbers of young people diagnosed on the Autistic spectrum and other conditions on which further information/report was requested by members; and
 - the remaining uncertainty relating to the reform and funding of adult social care on which the proposed green paper was still awaited from Government.

It was **MOVED** by Councillor S Randall Johnson, **SECONDED** by Councillor A Saywell, and

RESOLVED that the provisional financial settlement and its impact on spending targets be noted and on the proposed Health and Adult Services and Public Health budgets for 2021/22 and the issues and/or observations and requests set out below be drawn to the attention of the Cabinet meeting on 12 February 2021:

(a) Welcomes and supports

(i) the endeavours taken in effective running and financial planning by the Services and subsequently the 8.3% increase in budget for Adult Care and Health;

(ii) the focus on planning transitions for children and young people with disabilities to adult services.

(b) Record concern:

(i) Cabinet to satisfy itself that based on the uncertainties around the covid-19 pandemic that sufficient funds are in place to ameliorate any shortfall in funding or increase in necessary spend;

(ii) that the budget savings projected from services for adults with disability are achievable;

(iii) Cabinet to satisfy itself about the adequacy of mental health provision and an anticipated increase in need as a result of the pandemic;

(iv) this Council's ability to recruit to social care vacancies in light of Brexit and covid-19 and calls for national recognition for these key and valued role domiciliary care workers provide to society and Calls for the Proud to Care recruitment campaign to continue.

(c) Cabinet be asked to:

(i) support this Scrutiny Committee to carry out its statutory function of public accountability by detailing how NHS funds are included within the County Council budget for future budget consideration as this is necessary in moving to Integrated Care Systems with a joint approach for service planning;

(ii) continue to maintain support for prevention work across the Council including exploration of opportunities to increase funding through specific grants;

(iii) specify that all new contracts for social care providers uphold the Council's commitment for national living wage £10 per hour for everyone employed in care;

(iv) demonstrate impact and value for money for residents in services with high spend;

(v) lobby Government to commit to multi-year funding settlements to support financial certainty and longer-term planning; and

(vi) hold Government to account on promises made about the need for social care reform as soon as possible.

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

The Meeting started at 10.00 am and finished at 12.20 pm

**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY
COMMITTEE**

28 January 2021

Present:

Councillors A Dewhurst (Chair), P Colthorpe (Vice-Chair), Y Atkinson, K Ball, J Berry, J Brook, P Crabb, A Eastman, R Edgell, J Hook, R Radford, C Slade, C Whitton and J Hodgson

Apologies:

Councillors R Bloxham and I Hall

Members attending in accordance with Standing Order 25:

Councillors Hart, Gilbert, Davis, Parsons, Hannaford and Randall-Johnson

* 207 **Minutes**

RESOLVED that the Minutes of the meeting held on 19 November 2020 be signed as a correct record.

* 208 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 209 **Public Participation**

There were no oral representations from members of the public.

* 210 **Budget 2021/22 and Capital Programme for 2021/22 to 2025/26**

(Councillors Hart, Davis, Gilbert, Parsons, Hannaford and Randall-Johnson attended in accordance with Standing Order 25 and spoke to this item at the invitation of the Committee.)

The Committee noted that the proposed budget for the 2021/22 financial year would be scrutinised by individual Scrutiny Committees.

The Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee would present any relevant resolutions and an overview of those issues arising to the Corporate Infrastructure and Regulatory Services Committee. This Committee would also consider the draft budget proposals within its own remit, providing an opportunity for Scrutiny Members to comment on proposals for the Council's Budget in its entirety. The resulting resolutions from Scrutiny will be reported to Cabinet and Council.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the Joint Report of the County Treasurer, the Chief Executive, the Director of Public Health and the Head of Highways, Infrastructure Development and Waste (CT/21/05) on the provisional financial settlement made by Government and the spending targets set by the Cabinet for each service area which included inflation, commitment and service prioritisation reductions. The Report also detailed the proposed medium-term capital programme for the Corporate Infrastructure and Regulatory Services and how it was funded.

The Cabinet, at its meeting of 9th December 2020, had set Revenue Budget targets for 2021/22. That Report had also updated on the recent Spending Review (SR2020) and presented Budget Targets for 2021/22, which were set out in full at paragraph 3 and represented an overall increase of £28.4 millions or 5.2% (based on Revenue Spending Targets for 2021/22 of just over £571 millions).

In terms of the Spending Review 2020, this confirmed a one-year spending review, not the three years hoped for, but with the economic and financial impact of the Pandemic this had been reduced to one year.

This Report also outlined the key messages from SR2020 that would impact next year's budget. Some of these included:

- Core Spending Power to increase by 4.5%;
- A new Social Care grant of £300 millions (nationally);
- The Council Tax increase that would trigger the need for a referendum was 2%;
- The option to set an Adult Social Care Precept of up to 3%;
- Current Social Care grants would continue next year;
- A public sector pay freeze, except for those earning less than £24,000;
- The National Living Wage would increase by 2.2% to £8.91 per hour;
- A grant of £670 million nationally to offset some of the impact of the Pandemic on the Council Tax Base;
- A Council Tax Income Guarantee Scheme to compensate authorities for 75% of irrecoverable losses in the current year;
- The current New Homes Bonus scheme would continue;
- The Fairer Funding Review, 75% Business Rate Retention and Business Rates Reset had been delayed; and

- Covid funding of £1.55 billions nationally; along with the continuation of the 75% Covid Sales Fees and Charges compensation scheme into the first quarter of 2021/22.

A number of grants (likely ringfenced) had also been announced including Cyber Security modernisation, Test and Trace, Personal Protective Equipment, Rough Sleepers, Domestic Abuse, Troubled Families, School Transport Capacity, Secure Children's Homes, Social Housing Decarbonisation, Roads Maintenance & upgrades, Cycling, High Street Regeneration and Levelling up for local infrastructure.

The Capital Programme for 2021/22 to 2025/26 would be presented to Cabinet at the February Budget meeting.

However, at the Cabinet meeting on the 13th January, revised spending targets were presented following the Provisional Settlement for 2021/22 which was received on the 17th December.

The Provisional Settlement for the County Council was as follows:

£000

Revenue Support Grant	549
Business Rates Central Government Top Up	80,654
New Homes Bonus	2,486
Rural Services Delivery Grant	7,823
Social Care Support Grant SR20	3,149
Social Care Support Grant SR19	20,160
Improved Better Care Fund	28,270
Covid-19 Funding	14,823
Council Tax Support Grant	6,358

Notwithstanding the targets set by Cabinet in December (Revenue Spending Targets of just over £571 millions), much had happened, including a new variant of the Coronavirus and another national lockdown which had led to a review of those Targets.

The proposed changes were:

- reducing the planned savings by £3.7 millions across Adult Care & Health, Children's Services and Highways, Infrastructure and Waste;
- an additional Investment of £302,000 in Legal Services to support Children's Services and Risk Management to support the whole organisation; and
- an additional £3.3 millions to fund the cost of the 2.2% increase in the National Living Wage.

In summary, the proposed Budget Targets had increased by just under £7.3 millions to nearly £578.5 millions, an increase of 6.6% on the 2020/21 Budget.

The revised Budget Targets for 2021/22 were as follows.

The budget for Adult Care & Health was £282,435 millions, a net change of £21.6 millions or 8.3%. For Children's Services, this was £158,267 millions, the net change being £11,398 millions (7.8%). Community Health, Environment & Prosperity was 39,873 millions, with the net change of £81,000 or 0.2%. For Corporate Services 40,387 millions, a net increase of 2,821 millions (7.5%) and in relation to Highways, Infrastructure Development & Waste 57,520 millions, a decrease of £307,000 (-0.5%).

The Committee were reminded that its consideration of the draft Corporate Infrastructure and Regulatory Services budget was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet meeting on 12 February 2021 formulating a budget for consideration by the County Council on 18 February 2021.

The Chief Executive, County Treasurer and Head of Services commented on the likely implications of the 2021/22 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Leadership Group commentary in the Report referred to the difficulties and challenges experienced by the Council over the past year; the significant costs associated with responding to the COVID-19 pandemic; and preparations to leave the EU and support for residents and businesses through changes this would bring. Teams across the Council had worked quickly to establish new ways of working to continue delivery of services and information to the people of Devon. The overall financial impact of leaving the EU on the local economy, together with the impact of COVID-19, was still largely unknown and supporting the local business community remained a priority for the Council.

The Report also contained the detailed budget proposals for Corporate Infrastructure and Regulatory Services prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services.

The Communities, Public Health, Environment and Prosperity Services base budget was £39.873 millions (an increase of 0.2% from 2020/21) and included inflation and pressures of £1.039 millions and required savings of £958,000.

The Corporate Services base budget was £40.387 millions (an increase of 7.5% from 2020/21) and included inflation and pressures of £4.436 millions and required savings of £1.615 millions.

The Highways, Infrastructure Development and Waste Services base budget was £57,520 millions (a reduction of 0.5% from 2020/21) and included inflation and pressures of £1.804 millions and required savings of £2.111 millions.

Under the Equality Act 2010, the County Council had a legal duty to give due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations when making decisions about services. Where relevant, Impact Assessments were carried out to consider how best to meet this duty, which included mitigating against the negative impact of service reductions.

The Report before the Committee referred to the [Budget 2021/22 Impact Assessment](#), circulated prior to the meeting, giving an overview of the impact assessments for all service areas for the attention of Members so they were aware of the equality impact assessments undertaken as part of the budget's preparation, that any risk assessments and projections were adequate and the evidence supported the assumptions made in the formulation of the budget. Also bearing in mind that the preparation of Impact Assessments were a dynamic process and that individual assessments for specific proposals may need to be updated with time, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

Communities, Public Health, Environment and Prosperity:

- The Public Health budget had previously been scrutinised at the Health & Adult Care Scrutiny Committee.
- The reduction of £50,000 for Careers South West and Post 16 transitions reflected efficiency savings following restructuring arrangements to improve service delivery.
- The joint Devon, Somerset and Torbay Trading Standards Service would soon be expanded to include Plymouth.
- Learn Devon would continue to deliver digital skills training, with focus on the inclusion agenda.
- The County's recovery to pre-pandemic levels was predicted to be towards the end of 2023/24 and unemployment data was likely to increase.
- £150,000 had been allocated to each of the DCC Carbon reduction plan and the Devon Climate emergency.

- As in previous years, there had not been any reduction in public transport support in rural areas.

Corporate Services

- The budget increase was principally to further investment in the ICT Roadmap and to additional legal support for the increased demand from Adult and Children's Services.

Highways, Infrastructure Development and Waste

- Energy savings were welcomed from the rollout of the Street Lighting LED conversion, and it was hoped to increase part night lighting.
- Waste tonnage had increased significantly due to people working from home.
- On page 37 of the budget report, on the final line, the Change and 2021/22 Estimate figures should read (25) and 101 respectively in place of 358 and 484.
- A review of winter operations budgets had realised savings of £300,000.
- Members raised concern as to the budget for resurfacing works, and it was noted there would be a significant decrease in Government funding next year for capital maintenance works.
- Clarification that the North Devon Area of Outstanding Natural Beauty was an internal organisation within Planning and Transportation and thus not listed under external grants.
- Devon & Cornwall Rail Partnership was hosted by Plymouth University and received grant contributions also from Cornwall Council.
- The Head of Scrutiny clarified that Members had previously been circulated a copy of the Corporate Risk Register which had assessed climate change as very high risk.

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillor Slade and

RESOLVED

Welcomes and supports:

1. The endeavours taken in effective running and financial planning by this Council and the subsequent 6.6% increase in budget, specifically the 8.3% increase in budget for Adult Care and Health and 7.8% increase for Children's Services.
2. The focus on planning transitions for children and young people with disabilities to adult services and the capital spend to create 300 additional places for children with Special Educational Needs.
3. The lobbying efforts of this Council to receive fair funding for Devon Schools.

Record concern:

4. Cabinet to satisfy itself that based on the uncertainties, both short and long term, around the covid-19 pandemic that sufficient funds are in place to ameliorate any shortfall in funding or necessary increase in spend, with particular comments on:
 - (a) The anticipated increase in mental health provision required because of the pandemic.
 - (b) The future of Public transport, particularly buses, with dwindling numbers due to the pandemic.
5. That the budget savings planned are achievable particularly those projected from services for adults with a disability and those from highways winter operations and the reduction in capital funding from central government.
6. This Council's ability to recruit to social care vacancies in light of Brexit and covid-19. Scrutiny calls for national recognition for the valued role domiciliary care workers provide to society. Calls for the Proud to Care recruitment campaign to continue.

Cabinet be asked to:

7. Support Health Scrutiny to carry out its statutory function of public accountability by detailing how NHS funds are included within the DCC budget for future budget consideration. This is necessary in moving to Integrated Care Systems with a joint approach for service planning.
8. Continue to maintain support for prevention and innovation work across the Council including proactive exploration of opportunities to increase funding through specific grants. Specifically, but not limited to:
 - (a) Public health initiatives
 - (b) Climate change and active travel
 - (c) Connectivity of public transport
 - (d) Digitisation of communities – with possible opportunities in shared prosperity and levelling up funding.
9. Specify that all new contracts for social care providers uphold the Council's commitment for national living wage at £10 per hour as a minimum for everyone employed in care.
10. Continue to reduce the vacancy rate for public health nursing with a view to achieving a full complement of staff.
11. Explore future opportunities for in-house provision for residential children's care.

12. Consider rurality when funding school transport.
13. Find savings by more streetlights having part night lighting and use these savings to invest in road safety defects.
14. To prioritise further investment in road maintenance if there is the opportunity to do so.
15. Consider greater work on modelling determinants of demand in future years to support more accurate predictions in areas of spend; whilst acknowledging difficulties associated with demand led services. To support this endeavour call for Cabinet to clearly demonstrate impact and value for money for residents in services with high spend.
16. Lobby Government to:
 - (a) Commit to multi-year funding settlements and simpler grant-based initiatives to support financial certainty and longer-term planning.
 - (b) Provide additional support for public health nursing.
 - (c) Address the Special Educational Needs and Disabilities high needs funding block deficit and amend the funding allocation to reflect the number of Education, Health and Care Plans not solely on deprivation.
 - (d) Deliver on promises made about the need for social care reform as soon as possible.
 - (e) Adequately fund climate change to enable local authorities to deliver substantial measures to mitigate climate change and ecological emergency.

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

The Meeting started at 9.30 am and finished at 12.59 pm

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

20 January 2021

Present:-

Councillors J Hart (Chair), A Connett, R Hannaford, J McInnes and
B Parsons

* **80** **Minutes**

RESOLVED that the minutes of the meeting held on 25 November 2020 be signed as a correct record.

* **81** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

82 **Pay Policy Statement 2021/2022**

The Committee considered the Joint Report of the County Solicitor (Chief Officer for Legal, Human Resources and Communications) and Head of Human Resources outlining the proposed and revised Pay Policy Statement for 2021/2022 and consequential amendments to the Chief Officer Employment Procedure Rules and Disciplinary Policy, for ratification by the County Council.

The Committee were reminded that the Localism Act 2011 required Councils to prepare and approve, annually, a Pay Policy Statement setting out its policy for each financial year relating to remuneration of Chief Officers and other employees and the relationship between the pay of Chief Officers and the lowest paid employee. It also specified that salaries for those on leadership grades were fixed for the duration of the Policy.

The draft Pay Policy Statement was attached at Appendix 1 to the Report and reflected the Government's legislation and proposals to restrict exit payments for public sector workers.

The Governments proposals included:

- a £95,000 Exit Payments Cap, covering all types of exit payment;
- a duty to keep records and publication requirements in respect of relaxation of the £95k payment cap restriction;
- further reforms to the Public Sector Exit payments, which proposed to limit the amount of compensation an employee received where the exit was for redundancy. In addition, it proposed to limit the amount of employer funded top-ups for early retirement; and

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2

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

20/01/21

- that pay policy statements should be used by Local Authorities to explain their policies on the reward of chief officers who had been previously employed by the authority and ex-employees later engaged as Chief Officers.

The draft Pay Policy Statement continued to reflect a potential future review of terms and conditions including a current review of the NJC Annual Leave entitlement and the Authority's wider reward strategy, bearing in mind the pay and grading implications of the National Living Wage, and other issues such as recruitment and retention and the changing nature of work and roles within the Authority.

The Trade Unions had submitted a pay claim for 2021/22 to the national employers and further development was awaited.

Appendix 2 of the Report outline the current senior management roles and salary levels and no changes were proposed.

Members discussed and asked questions on the pay award and whether an updated position was known, staff awareness of the budgetary position of the authority, staff surveys to better understand morale and health and wellbeing issues, the current pressures on some staff including those home educating or those working remotely sometimes without suitable conditions, the importance of conditions and allowances supporting retention in those difficult to recruit areas and the potential to review some staff allowances to ensure they were still fit for purpose.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the proposed amendments to the Pay Policy Statement be approved and the revised Statement for 2021/22 commended to the Council;

(b) that the legislation of the Restriction of Public Services Exit Payments regulations which became law on 4th November 2020 be noted; and

(c) that the change to leadership roles and salary rates, which may be impacted by any national pay award, also be noted.

* 83

Leadership Changes

The Committee considered the Report of the Chief Executive which outlined a number of interim measures for leadership arrangements within Children's Services and also the Communities portfolio following the retirement of the former Chief Officer for Communities, Public Health, Environment and Prosperity.

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COMMITTEE
20/01/21

Whilst these arrangements could be made under the responsibilities delegated to the Chief Executive in line with the Chief Officer Employment Procedures, the Committee was asked to support the proposals.

Following the retirement of Dr Virginia Pearson, the role had been changed from a Chief Officer role with responsibility for a wider portfolio of services to a role dedicated to Public Health. The new Director of Public Health formally took up the role on the 1st January 2021.

Line management arrangements for the Head of Planning, Transportation and Environment, the Head of Economy, Enterprise and Skills, and the Head of Communities had temporarily been moved to report to the Chief Executive.

In relation to Children's Services, the new Chief Officer, Melissa Caslake, was due to start employment with the Council on the 1st February 2021. In the intervening period, Vivien Lines was acting in the statutory role of Director of Children's Services with responsibility for safeguarding reporting direct to the Chief Executive as was Dawn Stabb, the Head of Education and Learning.

The Report then outlined the line management arrangements for the acting Head of Children's Social Care, Head of Commissioning, Public Health Nursing and Early Help.

The Committee noted that the recruitment process for a permanent appointment to the Head of Children's Social Care would commence shortly with the selection process anticipated to take place in late February 2021.

Members discussed the merits of undertaking a Leadership review after the quadrennial Elections and asked questions on any cost implications of the temporary measures. It was confirmed there were no increased costs.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the temporary arrangements made for services which sit within the 'Communities' portfolio following the changes made to the Director of Public Health role be endorsed, also noting that these will remain in place until the Council Elections (currently scheduled for May 2021); and

(b) that furthermore, the temporary arrangements put in place for Children's Services between 1st January 2021 and the 1st February 2021 (when the newly appointed Chief Officer for Children's Services joins the Council) also be endorsed.

The Meeting started at 2.15 pm and finished at 2.44 pm.

Agenda Item 10.

Pay Policy Statement (April 2021 - March 2022)

1. Introduction

- 1.1. This document sets out Devon County Council's pay policy statement which will be reviewed annually.
- 1.2. The statement sets out the Council's policies relating to the remuneration of chief officers/heads of service, senior officers and officers and the relationship between the remuneration of the highest and lowest paid. Remuneration for the purpose of this statement includes basic salary, any other allowances and any payments made upon the cessation of employment.
- 1.3. The key principles underpinning this pay policy statement are:
 - 1.3.1. **Affordability** – ensuring remuneration policies represent value-for-money for the taxpayer.
 - 1.3.2. **Fairness** – ensuring remuneration policies are fair to all employees, ranging from the most senior post to the most junior post.
 - 1.3.3. **Meeting legislative requirements** – ensuring remuneration policies comply with all legal obligations, such as the Equal Pay Act and Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 regarding gender pay gap reporting.
 - 1.3.4. **Market Awareness** – ensuring due regard is taken of the market, both nationally and locally in the South West, and that this policy is in line with councils of a similar size and/or in a similar labour market.

2. Officers (including Lowest Paid Employees)

- 2.1. Officers are defined as those on [grades A-T](#)
- 2.2. Lowest Paid Employees at the County Council are defined as employees paid on Spinal Column Point 1 of the National Joint Council for Local Government Services (NJC) Pay Scale. This definition has been adopted as it is the lowest level of remuneration attached to a post in the Council.
- 2.3. Officers are employed under NJC terms and conditions.
- 2.4. The adoption of the NJC Pay Scale was jointly agreed by the County Council and NJC recognised Trade Unions as part of Single Status implementation.
- 2.5. The County Council uses the Greater London Provincial Council (GLPC) job evaluation scheme to determine an employee's position on the NJC pay scale (and therefore their pay level).
- 2.6. Officers are eligible for annual incremental increases up the NJC pay scale until they reach the top of their grade.
- 2.7. Any annual pay awards are determined by national NJC agreement.
- 2.8. Officer appointment, remuneration and terms in the event of the cessation of employment are in line with paragraph 4 of the Chief Officer Employment Procedure Rules, Council employment policy and statutory regulations and guidance.
- 2.9. Certain staff groups, defined as 'officers' within this Pay Policy Statement, are employed on separate terms and conditions which reflect relevant national agreements. These include teachers and some staff employed within social care or Public Health who are on NHS/health terms and conditions.

3. Senior Officers

- 3.1. Senior Officers are defined as those on grades L9-L5 for non Head of Service posts.
- 3.2. Senior officers are employed under Joint Negotiating Committee for Chief Officer (JNC) terms and conditions.
- 3.3. Senior Officers are remunerated on a local pay scale.
- 3.4. The Hay job evaluation scheme is used to determine an employee's position on the local pay scale (and therefore their pay level).

3.5. The County Council operates a tiered pay scale for Senior Officers. Each tier has a spot salary and there is no incremental progression or salary increase, other than any annual pay awards which are determined by national JNC agreement.

4. Chief Officers and Heads of Service

4.1. Chief Officers and Heads of Service are defined as follows:

4.1.1. **Chief Officers** - Chief Executive, the Chief Officers for Children's Services, for Adult Care & Health, for Communities, Public Health, Environment & Prosperity (Director of Public Health, see paragraph 7) and for Highways, Infrastructure, Development & Waste; County Treasurer (Chief Finance Officer) and County Solicitor (Monitoring Officer and Chief Officer for Legal, Human Resources and Communications) on Devon County Council Grades L0-L3 and the Director of Public Health-(see paragraph 7).

4.1.2. **Heads of Service** – either holders of posts defined locally who comprise the Council's Leadership Team appointed by the Appointments Remuneration and Chief Officer Conduct Committee and the Local Government and Housing Act 1989 or who fall within the category of non-statutory officer (as set out in the Local Government and Housing Act 1989), on Devon County Council Grades L2-L4.

4.2. All Chief Officers and Heads of Service are employed under Joint Negotiating Committee for Chief Executive or Chief Officer (JNC) terms and conditions (except for the Chief Officer for Communities, Public Health, Environment and Prosperity (Director of Public Health – see paragraph 7)).

4.3. The County Council operates a [tiered pay scale](#) for Chief Officer and Heads of Service posts (except the Chief Officer for Communities, Public Health, Environment and Prosperity Director of Public Health – see paragraph 7)). Each tier has a fixed, spot salary and there is no incremental progression. The Hay job evaluation scheme is used to determine an employee's position on the scale (and therefore their pay level).

4.4. The Appointments Remuneration and Chief Officer Conduct Committee will consider and recommend the appointment, remuneration and terms in the event of the cessation of employment of any substantive posts of Chief Officers and Heads of Service, in line with its Terms of Reference, the Pay Policy Statement, Chief Officer Employment Procedure Rules, the Council's employment policy and statutory regulations and guidance.

4.5. The Appointments Remuneration and Chief Officer Conduct Committee would not normally recommend the re-employment of individuals to Chief Officer positions who have recently left the Council (for any reason) in any capacity (either as an employee, consultant or contractor). If this does occur, it will be subject to the provisions of the Modification Order.

4.6. Salaries are fixed for the duration of this policy and reviewed annually by the Appointments Remuneration and Chief Officer Conduct Committee. Any variation from the fixed salary during the period of this policy (either for an existing Chief Officer/Head of Service or for the appointment of a new Chief Officer/Head of Service) requires approval from the County Council, except in the case of any annual pay awards which are determined by national JNC agreement.

4.7. The County Solicitor, Chief Officer for Legal, Human Resources and Communications is also the County Returning Officer and Returning Officer fees paid are in line with the guidance stipulated from the Ministry of Justice for the relevant elections.

4.8. The County Council has adopted the Code of Recommended Practice for Local Authorities on Data Transparency, in respect of its approach to publication of and access to information relating to the remuneration of Chief Officers/Heads of Service. Pay levels for all Chief Officers/Heads of Service posts are published on the [County Council's website](#) and/or in the [Annual Statement of Accounts](#).

5. Terms and Conditions for all employees

- 5.1. The County Council does not operate a performance-related pay scheme for any employee.
- 5.2. The County Council does not pay bonuses to any employee.
- 5.3. The County Council may pay a market supplement in circumstances where it is not possible to recruit or retain particular staff or categories of staff, subject to the principles set out in the Council's Market Supplement Policy. The market supplement is a temporary addition to the basic pay of the role and is reviewed annually. Market supplements paid to the highest paid employees will be published in accordance with any relevant legislation and the Senior Officers salary publication requirements.
- 5.4. Travel and subsistence expenses incurred on County Council business are reimbursed to employees. Reimbursement of expenses is governed by the principle that employees should not be financially advantaged or disadvantaged in carrying out their duties and all employees are subject to the same policy. Expenses and any benefits-in-kind for the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.5. The County Council does not pay fees on behalf of any employees, though this is subject to change in exceptional circumstances where there is an appropriate business case. Any fees paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.6. Allowances are paid in line with NJC terms and conditions (for Officers) or JNC terms and conditions (for Senior Officers and Chief Officers/Heads of Service), or by local agreement where appropriate. Any allowances paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.7. All employees are subject to the same terms and conditions in respect of termination of employment. The only exception to this is Chief Officers who are subject to a modified disciplinary procedure which is outlined in paragraph 9 of the Chief Officer Employment Procedure Rules.
- 5.8. All non-teaching employees are eligible to join the Local Government Pension Scheme (LGPS). The County Council does not augment pensionable service. The Council's employer severance and pension discretions, allowed under the LGPS regulations, apply to all employees.
- 5.9. The Council will apply the Government's various legislative proposals related to public sector exit payments. ~~when these arrangements take effect.~~
- 5.10. During the year the Council will continue to explore and consult upon, with the aim of agreeing, changes to employee terms and conditions, to ensure that they are fit for purpose for a changing council.

6. Relationship between Chief Officers and employees who are not Chief Officers

- 6.1. Senior Officers and Chief Officers/Heads of Service receive no special enhancements to benefits or terms and conditions.
- 6.2. The Hutton Review recommends a maximum ratio of the highest remunerated post compared with the lowest remunerated post of 20:1. The County Council has adopted this recommendation. It is the Council's policy that this ratio will not exceed 20:1 and it will be reviewed annually by the Appointments, Remuneration and Chief Officer Conduct Committee.
- 6.3. The current ratio of the highest paid post to the lowest paid post at the County Council is 9.1¹, based on the lowest paid post being at spinal column point 1.
- 6.4. The ratio of the median average pay level to the highest paid post at the County Council is 7:1² The ratio of the mean average pay for Chief Officers/Heads of Service to non Chief Officers/Heads of Service is 3:1³.

¹ The 2020/21 reported Pay Policy Statement ratio was 9.1

² 2020/21 Pay Policy Statement ratio was 8.1.

³ 2020/21 Pay Policy Statement ratio was 4.1.

7. Director of Public Health

- 7.1. Devon County Council assumed public health responsibilities (in line with the Health and Social Care Act 2012) from April 2013 and employs a Director of Public Health, who is defined as a Chief Officer, as described at paragraph 4.1.
- 7.2. The Director of Public Health and a number of other Devon Public Health employees transferred from the NHS to Devon County Council in accordance with the principles of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) with effect from 1st April 2013. In practice this means that the existing terms and conditions of employment of transferring employees are protected at the point of transfer and they currently continue to be paid on NHS pay rates and not NJC or JNC terms.

Leadership Grades

L9	£50,576	Senior management roles
L8	£56,820	
L7	£63,287	
L6	£69,733	
L5	£83,424	
L4	£94,546	Chief Officer for Highways, Infrastructure, Development and Waste Head of Children's Social Care* Head of Education and Learning Head of Adult Commissioning and Health Head of Adult Care Operations and Health Head of Economy, Enterprise and Skills Head of Planning, Transportation and Environment Head of Digital Transformation and Business Support
L3	£105,669	
L2	£114,502	County Treasurer County Solicitor
L1	£141,759	Chief Officer for Adult Social Care and Health Chief Officer for Children's Services
L0	£171,728	Chief Executive
<p>In addition to the heads of service and chief officers above, the Council employs the Director of Public Health on NHS pay rates, on a current salary of £104,927 plus an allowance.</p> <p>*plus market supplement.</p> <p>The rates of pay reflect the 2.75% pay award for 2020 which was agreed nationally. Any national pay award for 2021/22 would impact on the above but is yet to be agreed.</p>		

DEVELOPMENT MANAGEMENT COMMITTEE

2 December 2020

Present:-

Councillors J Brook (Chair), Y Atkinson, S Aves, J Hook, A Connett, G Gribble, I Hall (Vice-Chair), L Hellyer, J Hodgson, R Hosking, T Inch, P Sanders, C Slade and J Yabsley

Apologies:-

Councillor R Bloxham

* 115

Minutes

RESOLVED that the Minutes of the Meeting held on 21 October 2020 be signed as a correct record.

* 116

Items Requiring Urgent Attention

No item was raised as a matter of urgency.

* 117

County Matter: Teignbridge District: Planning application for the 'Importation of 350,000m³ of inert soils and topsoil for the land raising of previously disturbed land that is not capable of sustaining commercial agriculture', Lower Hare Farm, Lane from Higher Hare towards Alderbed Copse, Whitestone

(Richard Agnew (agent for applicant), Richard Payne and Nigel Smith (by phone) attended under the Public Participation Scheme and spoke in support of the application; and Dr Rob Murdock, Bertie Hawkins, Penny Mills and Philip Nierop attended under the Scheme and spoke in objection to the application).

The Committee considered the Report of the Chief Planner ((PTE/20/39) on an inert waste land raising operation, proposing the disposal of 350,000 cubic metres of inert waste soil and topsoil over a ten years period in order to improve the agricultural properties of the land. The Report had been amended by a supplementary report as a result of new information from the Environment Agency amending Paragraph 6.10 in the 7th line, replace "553 cubic metres" with "287,222 cubic metres"; and Paragraph 6.11 in the 2nd line, replace "1.8 years" with "0.9 years". The Chief Planner also reported on further representations in objection to the application received since the publication of the Report.

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2

DEVELOPMENT MANAGEMENT COMMITTEE
2/12/20

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

Member discussions and questions to the Chief Planning Officer included reference to the Environmental Impact Assessment, site access, highways and proximity issues, landscape and visual impact, restoration and the conditions pertaining, slope stability, lighting, health and air quality, use of the offsite biodiversity proposed contribution, capacity, need and the waste hierarchy.

Councillor A Connett **MOVED** and Councillor J Hodgson **SECONDED** that, as the application would degrade rather than conserve and enhance the landscape character and visual amenity of the Haldon Hills Area of Great Landscape Value and as the significant adverse effects would not be mitigated to acceptable levels, the application be refused, as it is contrary to Policies W2, W12 and W18 of the Devon Waste Plan, Policy EN2A of the Teignbridge Local Plan and NPPF paragraphs 130 and 170.

The **MOTION** was put to the vote and declared **LOST**.

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

MOVED by Councillor J Brook, **SECONDED** by Councillor T Inch and

RESOLVED that subject to the applicant entering into a legal agreement providing for: a contribution of £12,839.75 towards offsite biodiversity net gain; carbon offsetting measures; and appropriate mitigation for the impact on Whitestone Bridleway 14, planning permission be granted subject to the conditions set out in Appendix I (with the removal of Condition 20 relating to lighting of the site) of this Report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local County Councillor).

(N.B. In accordance with Standing Order 32(4) Councillor A Connett requested that his vote in favour of his motion and against the decision taken be recorded)

* 118

Minerals and Waste Development Framework: Bovey Basin Strategy: Member Engagement

The Committee considered the Report of the Chief Planner (PTE/20/40) on the context for the preparation of the Bovey Basin Strategy and the proposed approach with regard to Member engagement.

The Devon Minerals Plan 2011 - 2033 set out the requirement for the County Council to prepare a masterplan for the Bovey Basin ball clay operations. Specifically, it had stated in para 4.2.18:

“This masterplan will be prepared in partnership with the mineral operators and other relevant organisations and local communities, to inform the consideration of future planning applications and periodic reviews of existing planning permissions, including site management and restoration proposals”

The main aim and purpose of the Bovey Basin Strategy was to provide a strategic, overarching approach to inform the development of the Bovey Basin over the next 100 years which was joined up, consistent and coordinated between the key stakeholders and delivery partners.

The Report outlined the Strategy Area and the proposed composition of the Member Consultative Group

It was **MOVED** by Councillor J Brook, **SECONDED** by Councillor T Inch and

RESOLVED that the proposal to form a Local Member Consultative Group (as detailed in the Report) to enable appropriate Member engagement during the preparation of the Bovey Basin Strategy be approved.

* 119

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

The Committee received the report of the Chief Planner (PTE/20/41) of action taken under delegated powers.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

DENOTES DELEGATED MATTER WITH POWER TO ACT

The Meeting started at 2.15 pm and finished at 4.45 pm

APPEALS COMMITTEE

7 December 2020

Present:-

Councillors J Hawkins (Chair), A Saywell, C Slade, P Twiss and C Whitton

* 190

Minutes

RESOLVED that the minutes of the meeting held on 2 November 2020 be signed as a correct record.

* 191

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 100A(4) of the Local Government Act 1972 on the grounds that they involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

* 192

Budget Monitoring

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

The Committee received the Report of the Head of Planning, Transportation & Environment on the financial impact of the Committee's decisions for the current financial year 2020/21.

* 193

School Transport Appeals

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

(Councillor Whitton represented the Appellant in case ST169 and therefore took no part in the Committee's deliberations relating to it).

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

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APPEALS COMMITTEE
7/12/20

ST169	Exeter - Exwick Heights Primary	Appellant, Representative & Local County Councillor
ST175	Whimble - Kings' School	Appellant
ST167	Clayhidon - Honiton CC	-
ST170/171	Okehampton - Hatherleigh Primary	Local County Councillor
ST172-174	Exeter - Avanti Hall Academy	Appellant & Local County Councillor
ST168	Exeter – St James School	Local County Councillor

RESOLVED:-

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

ST169 Exeter - Exwick Heights Primary

ST172-174 Exeter - Avanti Hall Academy*

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

ST170/171 Okehampton - Hatherleigh Primary

ST168 Exeter – St James School

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

ST175 Whimble - Kings' School

ST167 Clayhidon - Honiton CC

*subject to conditions.

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

The Meeting started at 9.45 am and finished at 4.15 pm

APPEALS COMMITTEE

1 February 2021

Present:-

Councillors J Hawkins (Chair), A Saywell, C Slade, P Twiss and C Whitton

* **194** **Minutes**

RESOLVED that the minutes of the meeting held on 7 December 2020 be signed as a correct record.

* **195** **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 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

* **196** **Budget Monitoring**

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

The Committee received the Report of the Head of Planning, Transportation & Environment on the financial impact of the Committee's decisions for the current financial year 2020/21.

* **197** **Deferred Appeals**

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

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

ST175 Whimple - Kings' School (route available)
ST167 Clayhidon - Honiton CC (route available).

PROCEDURES COMMITTEE

2 February 2021

Present:-

Councillors S Barker (Chair), J Hart, S Hughes, F Biederman, A Connett, R Hannaford, N Way and C Wright

Apologies:-

Councillor S Aves

* 99

Minutes

RESOLVED that the minutes of the meeting held on 17 November 2020 be signed as a correct record.

* 100

Items requiring urgent attention

There was no item raised as a matter of urgency.

101

Members Allowances - Report of the Independent Remuneration Panel

The Committee considered the Report of the Independent Members' Allowances Remuneration Panel for 2021/22. The Chair of the Panel presented their Report, highlighting specifically that the conclusions and recommendations made had been based on sound evidence, that the Panel felt it was better to raise allowances incrementally, and that they had given consideration to the issues asked of them as well as the national position with COVID-19 and the impact on communities as well as the operations and finances of the Council.

Members welcomed the Panel's acknowledgment in the Report that while historically there had been little scope for improvement, the structure of the County Council's scheme remained fit for purpose with sound principles and noted that, in commending its Report to the Council, the Panel had not suggested any significant changes to the structure of the Council's scheme.

The Panel had recommended no uplift to Members allowances, but wished to place on record their appreciation to Councillors for their Leadership throughout the pandemic, noting that Members had worked tirelessly in their communities and also adapted to remote working practices to ensure democratic processes continued.

The recommended allowances from May 2021 (based on a freeze) were set out in Appendix 1 of its Report.

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PROCEDURES COMMITTEE

2/02/21

The Committee placed on record its thanks to the Panel for their comprehensive Report.

It was **MOVED** by Councillor Connett, **SECONDED** by Councillor Hart, and

RESOLVED

(a) that the Report of the Independent Panel be welcomed and its Members be thanked for their work;

(b) that the Committee notes the Report's conclusions and asks the County Council to accept the recommendations outlined below.

- (a) The basic structure of the current scheme is endorsed and retained;
- (b) The Panel feels it important not to depart from the panel's established formula of calculating the basic allowance and also notes the uncertainty of the staff pay award for 2021/2022. In that vein and recognising the likely pay freeze (although subject to consideration by Local Government Employers) for those earning in excess of £24,000 and the base line figure of £27,456 used for calculating the basic allowance (median gross weekly earnings for full-time employees in Devon), the Panel recommend that allowances be frozen for 2021/2022 (See Appendix 1 for the current rates recommended to be carried through to 2021/2022);
- (c) that the overnight rate for London be increased to £153.00, in line with the rates calculated by Price Waterhouse Cooper for the average daily rate (ADR) for London.
- (d) Careful consideration should be given, in the future, to the levels of allowances to ensure they keep pace with the economy generally;
- (e) The sustained reduction in the number of SRA's be welcomed and that the levels be kept below the 50% threshold, as is currently the case;
- (f) That the Panel reiterate their desire that Group Leaders take a robust approach to the performance management of their Members and places on record their thanks for the levels of reassurance provided by Group Leaders for dealing with performance issues; and

- (g) Notwithstanding the recommendations of the Panel for an allowances freeze, the Panel wish to place on record their appreciation to Councillors for their Leadership throughout the pandemic, noting that Members had worked tirelessly in their communities and also adapted to remote working practices to ensure democratic processes continued.

102 Proposed Amendments to the Constitution - Financial Regulations

The Committee considered the Report of the County Treasurer (CT/21/15) relating to proposed changes to the Constitution (Part 5c - Financial Regulations).

The Report outlined the proposed changes, relating to Financial Regulations, which were in need of updating and highlighted the detail in the attached appendix to the Report.

The changes were as follows:

- Gifts & Hospitality (C12) – the Council’s policy contained an anomaly, therefore needed to be corrected by removing an entry relating to legacies.
- New Item: Guarantees (C18) – in some exceptional circumstances the County Council was asked to act as guarantor for third parties. It was proposed that a new section be added to cover these arrangements and the agreement processes.
- Income (D10): Scales of Fees & Charges – this section currently set out the need for regular review of scales of fees & charges and variations. This had been expanded to provide specific reference to ‘new fees and charges’; and
- Income (D10): Detailed Standards – this section had been expanded to provide further clarity on the existing requirement for prompt rendering of accounts and prompt account recovery and the agreement processes.

Members asked questions on the approval process for both existing and new fees and charges.

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

RESOLVED that the proposed changes to the Constitution, as outlined in the report and appendix, of sections C12, C18 and D10 be recommended for approval by the Council, subject to the additional words at D10.3 ‘**via a delegated decision**’ at the end of the sentence.

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2/02/21

NOTES:

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2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

DENOTES DELEGATED MATTER WITH POWER TO ACT

The Meeting started at 10.30 am and finished at 10.52 am

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

20 January 2021

Present:-

Councillors J Hart (Chair), A Connett, R Hannaford, J McInnes and
B Parsons

*** 80 Minutes**

RESOLVED that the minutes of the meeting held on 25 November 2020 be signed as a correct record.

*** 81 Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

82 Pay Policy Statement 2021/2022

The Committee considered the Joint Report of the County Solicitor (Chief Officer for Legal, Human Resources and Communications) and Head of Human Resources outlining the proposed and revised Pay Policy Statement for 2021/2022 and consequential amendments to the Chief Officer Employment Procedure Rules and Disciplinary Policy, for ratification by the County Council.

The Committee were reminded that the Localism Act 2011 required Councils to prepare and approve, annually, a Pay Policy Statement setting out its policy for each financial year relating to remuneration of Chief Officers and other employees and the relationship between the pay of Chief Officers and the lowest paid employee. It also specified that salaries for those on leadership grades were fixed for the duration of the Policy.

The draft Pay Policy Statement was attached at Appendix 1 to the Report and reflected the Government's legislation and proposals to restrict exit payments for public sector workers.

The Governments proposals included:

- a £95,000 Exit Payments Cap, covering all types of exit payment;
- a duty to keep records and publication requirements in respect of relaxation of the £95k payment cap restriction;
- further reforms to the Public Sector Exit payments, which proposed to limit the amount of compensation an employee received where the exit was for redundancy. In addition, it proposed to limit the amount of employer funded top-ups for early retirement; and

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APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

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- that pay policy statements should be used by Local Authorities to explain their policies on the reward of chief officers who had been previously employed by the authority and ex-employees later engaged as Chief Officers.

The draft Pay Policy Statement continued to reflect a potential future review of terms and conditions including a current review of the NJC Annual Leave entitlement and the Authority's wider reward strategy, bearing in mind the pay and grading implications of the National Living Wage, and other issues such as recruitment and retention and the changing nature of work and roles within the Authority.

The Trade Unions had submitted a pay claim for 2021/22 to the national employers and further development was awaited.

Appendix 2 of the Report outline the current senior management roles and salary levels and no changes were proposed.

Members discussed and asked questions on the pay award and whether an updated position was known, staff awareness of the budgetary position of the authority, staff surveys to better understand morale and health and wellbeing issues, the current pressures on some staff including those home educating or those working remotely sometimes without suitable conditions, the importance of conditions and allowances supporting retention in those difficult to recruit areas and the potential to review some staff allowances to ensure they were still fit for purpose.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the proposed amendments to the Pay Policy Statement be approved and the revised Statement for 2021/22 commended to the Council;

(b) that the legislation of the Restriction of Public Services Exit Payments regulations which became law on 4th November 2020 be noted; and

(c) that the change to leadership roles and salary rates, which may be impacted by any national pay award, also be noted.

* 83

Leadership Changes

The Committee considered the Report of the Chief Executive which outlined a number of interim measures for leadership arrangements within Children's Services and also the Communities portfolio following the retirement of the former Chief Officer for Communities, Public Health, Environment and Prosperity.

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Whilst these arrangements could be made under the responsibilities delegated to the Chief Executive in line with the Chief Officer Employment Procedures, the Committee was asked to support the proposals.

Following the retirement of Dr Virginia Pearson, the role had been changed from a Chief Officer role with responsibility for a wider portfolio of services to a role dedicated to Public Health. The new Director of Public Health formally took up the role on the 1st January 2021.

Line management arrangements for the Head of Planning, Transportation and Environment, the Head of Economy, Enterprise and Skills, and the Head of Communities had temporarily been moved to report to the Chief Executive.

In relation to Children's Services, the new Chief Officer, Melissa Caslake, was due to start employment with the Council on the 1st February 2021. In the intervening period, Vivien Lines was acting in the statutory role of Director of Children's Services with responsibility for safeguarding reporting direct to the Chief Executive as was Dawn Stabb, the Head of Education and Learning.

The Report then outlined the line management arrangements for the acting Head of Children's Social Care, Head of Commissioning, Public Health Nursing and Early Help.

The Committee noted that the recruitment process for a permanent appointment to the Head of Children's Social Care would commence shortly with the selection process anticipated to take place in late February 2021.

Members discussed the merits of undertaking a Leadership review after the quadrennial Elections and asked questions on any cost implications of the temporary measures. It was confirmed there were no increased costs.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and

RESOLVED

(a) that the temporary arrangements made for services which sit within the 'Communities' portfolio following the changes made to the Director of Public Health role be endorsed, also noting that these will remain in place until the Council Elections (currently scheduled for May 2021); and

(b) that furthermore, the temporary arrangements put in place for Children's Services between 1st January 2021 and the 1st February 2021 (when the newly appointed Chief Officer for Children's Services joins the Council) also be endorsed.

The Meeting started at 2.15 pm and finished at 2.44 pm.

CHILDREN'S SCRUTINY COMMITTEE

25 January 2021

Present:-

Councillors R Hannaford (Chair), D Sellis (Vice-Chair), S Aves, F Biederman, J Brazil, C Channon, I Chubb, G Gribble, J Hawkins, L Hellyer, R Hosking, T Inch, A Saywell, M Squires, A Connett, P Sanders and C Mabin (Church of England Diocesan representative)

Members attending in accordance with Standing Order 25

Councillor J McInnes

* 201 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 202 **Public Participation**

There were no oral representations from members of the public.

* 203 **Scrutiny Committee Work Programme**

The Committee received an update on the Scrutiny Work Programme.

* 204 **SEND Improvement**

The Committee received a Report of the Head of Education & Learning (CS/21/01) updating Members on the actions taken and progress made in implementing the Written Statement of Action (WSOA) following the SEND review in January 2019.

The Report provided a summary of progress against the 4 areas of improvement identified in the SEND Review, which were:

- A. Strategic plans and the local area's SEND arrangements were not embedded or widely understood by stakeholders including schools, settings, staff and parents and carers;
- B. The significant concerns that were reported about communication with key stakeholders, particularly with parents and families;
- C. The time it took to issue Education Health and Care Plans (EHCP) and the variable quality of these plans. Plans did not consistently capture a child and young person's needs and aspirations so that they were a valuable tool to support the planning and implementation of education,

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- health and care provision to lead to better lived experiences for the child and their families; and,
- D. Weaknesses in the identification, assessment, diagnosis and support of those children and young people with autism spectrum disorder.

The Head of Service advised that the local area strategy for SEND included input from all areas of Education, Health and Care. The Report included bullet points highlighting what had already been achieved and blue text which highlighted the impact of the actions taken to date. Key points highlighted within the Report included:

Section A:

- The Local Offer Webpage had been redesigned in consultation with all users over the last 12 months and was due to be launched in February.
- Induction training for all staff – this had now been rolled out to over 7,000 people and had been recognised as good practice by NASEN and was being rolled out nationally.
- SEND Strategy – the Council's policy had been due to run from 2017-2020, so it was business as usual to update strategy. The new SEND Strategy 2021-2024 had been widely consulted on, and would be launched in January 2021.
- SEND Transformation Programme – aimed to improve parents and young peoples lived experienced of SEN support by designing and implementing an integrated service that worked together to ensure young people received the right support at the right time.

Section B:

- Communication and Engagement – there had been an increase in the number of parents engaged with the Parent Carer Forum.
- Parent Ambassador programme – parents were supporting other parents
- Young Person led Champions for Change – work had moved forward despite the challenge of pupils not being in school.

Section C:

- The number pupils with an Education Health and Care Plan (EHCP) had increased and there had been no slow in the level of demand.
- The number of plans issued on time had increased from 3% in 2019 to 68% in 2020 and was expected to rise to 73% by May 2021.
- The pandemic had impacted the timeliness of some EHCPs. The Council saw a reduction in the number of plans issued in June 2020, after the first lockdown. This was due to needing input from education, health and social work, most of which took in schools and was therefore unable to take place during the first lockdown. The number of Plans issued increased again in September when assessments that took place during the summer could be utilised. Where possible, assessments have been completed at home to avoid additional pressures placed on families due to the pandemic.

- Quality of plans had improved and an EHCP Charter had been developed and agreed with the Parent Carer Forum.

Section D:

- All families on the waiting list had been written to and advised of the support available online;
- Demand in referrals had continued to remain high, with an average of 173 referrals to the autism assessment service each month;
- The length of time children were on the waiting list had increased by 14% from December 2019 to December 2020. The impact of COVID-19 had meant the service adapted the way it undertook assessments and moved to online platforms.

Discussion points with Members included:

- There was not a reduction in demand for EHCPs but a reduction in the ability to conduct face-to-face assessments in schools.
- The continued high demand of EHCPs and whether more staff were still required to meet this demand. The Service would evaluate how the current increase in staffing had coped with the level of demand. There had been an improvement in the timeliness of wider professional advice; however due to the pandemic, where they could not access children or observe them appropriately, that had held up assessments.
- The Council's web team were making all webpages accessibility friendly, including the Local Offer webpage. The Service had also spoken to young people who advised they preferred video clips; therefore the team was working on developing YouTube videos to target young people.

* 205

Domestic Violence and Abuse and Early Help

The Committee considered a Report of the Head of Public Health Nursing (CS/21/02) providing an update on the work to address domestic violence and abuse across Devon with a focus on Early Help arrangements.

The Report highlighted that the Community Safety Strategic Assessment brought together key information to assess crime, disorder and safety issues across Devon, which included domestic abuse. The Assessment for financial year 2019-20 showed a 3% increase in incidents recorded by the police linked to domestic abuse in Devon (11,000 incidents, 16.8 incidents per 1,000 population) on the previous year. There had been a steady increase in referrals and requests into domestic abuse services for specialist support for victims of domestic abuse in Devon in recent years, and a sharp increase since the Spring COVID-19 lockdown.

The Specialist Domestic Abuse Support Service for Devon commissioned by Devon County Council and led by Splitz Support Service had seen a 60% increase in calls in April 2020 compared to April 2019. This demand had since

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eased but was still around 50% higher than the previous year. An increase in the complexity of cases included mental health and drug and alcohol issues being worsened by lockdown pressures, child contact issues, perpetrators moving back into the family home and other factors. The Council had responded to these pressures by allocating an additional £250k of funding from the COVID-19 emergency funding received from Government.

In addition to the £250k, the Council had allocated £150k of COVID-19 emergency funding to strengthen the ability of the multiagency Early Help locality teams to provide direct support to families experiencing domestic abuse where appropriate. Additional funds had also been allocated to enable locality teams to commission support for children and families to recover from the impact of abuse.

The Council currently had no specific statutory duty in the area of domestic abuse support services. The Domestic Abuse Bill that was before Parliament would introduce a new duty on the Council to provide domestic abuse support for victims and their children who were living in safe accommodation.

Discussion points with Members included:

- funding for the Service was fragile and relied on short term grant funding. Further involvement from Scrutiny to look at how a more robust and sustainable service could be created was welcomed.
- work was ongoing with colleagues from Plymouth and Torbay, looking at the lived experience of sexual violence and abuse.
- an update on how Operation Encompass was working during the pandemic, given that this was more difficult when a child was not in school.
- an overview of where domestic violence was occurring across the County to ensure funding was in place to support services.
- during the pandemic, services were working hard to engage with those individuals who could not leave their home.
- the Active Bystander training which had been very useful and would be worthwhile rolling out to all councillors.

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

RESOLVED that a reference to the Member Development Steering Group be made to discuss Active Bystander training for all Councillors and a joint Spotlight review with Health and Adult Care Scrutiny and Corporate Infrastructure and Regulatory Services Scrutiny be undertaken on Domestic Violence and Sexual Abuse.

206 Youth Offending Service Peer Review

The Committee received a briefing paper on the Peer Review of Devon Youth Offending Service by Essex Youth Offending Service. The Report outlined that following an inspection by HMI Probation in July 2015, there were areas of excellent creative work and areas that were not so adequate within Devon Youth Offending Service. A Peer Review was therefore undertaken by Essex Youth Offending Service, rated as Outstanding by HMI Probation in October 2018, to provide a sense check on the quality of service that was currently being delivered and serve as valuable preparation for the forthcoming HMI Probation inspection.

*** 207 Children's Standing Overview Group**

The Committee received the notes of the Standing Overview Group from December 2020.

208 Regional Adoption Agency (RAA) Joint Scrutiny Group

The Committee received the Report of the Regional Adoption Agency Joint Scrutiny group from November 2020.

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

The Meeting started at 2.15 pm and finished at 3.43 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

26 January 2021

Present:-

Councillors S Randall-Johnson (Chair), H Ackland (Vice-Chair), M Asvachin, P Crabb, R Peart, S Russell, P Sanders, A Saywell, M Shaw, R Scott, J Trail, P Twiss, N Way, C Wright and J Yabsley

District Councils

Councillor L Evans

Members Attending in Accordance with Standing Order 25

Councillors F Biederman, J Clatworthy, A Dewhirst and A Leadbetter

Apologies

Councillor J Berry

* 222

Minutes

RESOLVED that the Minutes of the meeting held on 12 November 2020 be signed as a correct record.

* 223

Items Requiring Urgent Attention

There was no item raised as a matter of urgency

* 224

Public Participation

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged representations from Councillor Chris Clarence, Dr Helen Tucker (President of the Community Hospitals' Association), Helen Beetham, John Smith and GERALYN ARTHURS on a matter to be considered by the Committee, namely 'Modernising Health and Care Services in the Teignmouth and Dawlish Area' (Minute *225 refers). They highlighted their concerns relating to the consultation proposals and process (for a range of reasons) and need to retain services at the Hospital and the lack of inpatient/nursing beds in the area and requested that a formal referral be made to the Secretary of State for Health and Social Care).

* 225

Modernising Health and Care Services in Teignmouth and Dawlish Spotlight Review

(Councillors J Clatworthy and A Dewhirst attended in accordance with Standing Order 25 (2) and spoke to this item. Councillor Dewhirst referred to local community objections to the proposals (based on a range of issues) and support for the retention of the Teignmouth Community Hospital and requested that a formal referral be made to the Secretary of State for Health

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and Social Care. Councillor Clatworthy referred to the local support of services at Dawlish Community Hospital and at the Minor Injuries Unit).

The Committee received the Notes of the Spotlight Review on 14 December 2020 held over two sessions with respectively Healthwatch Devon and the NHS Devon Clinical Commissioning Group (CCG). As a result of the Review representations had been made to the CCG (attached to the report of the Review) which had concluded ‘ *members do not believe that the consultation has convincingly supported the claim that the proposed changes are in the best interests of the health needs of the population in the area*’.

The Committee also received an update Report from the CCG following the approval of a series of recommendations on the 17 December 2020 by NHS Devon CCG Governing Body. This decision would mean that some services will be moved from Teignmouth Community Hospital to a new Health and Wellbeing Centre in the Town Centre and some services to Dawlish Community Hospital. The Governing Body had also approved a recommendation to continue with a model of community-based intermediate care and reverse a previous decision to establish 12 rehabilitation beds at Teignmouth Community Hospital. The CCG’s Report stated that the Governing Body had recognised some of the issues raised throughout the consultation and those by the Spotlight Review and had made recommendations to address them. The Governing Body’s final recommendations were detailed in their Report.

Officers from the CCG reported on the rationale for the Board’s decision.

The Head of Scrutiny reported on the options for the Committee. If the Committee was concerned that the CCG Governing Body’s decision was not in the best interests of health services and/or there had been inadequate consultation then a formal referral could be made to the Secretary of State for Health and Social Care which would be considered initially by the Independent Reconfiguration Panel (IRP). This Committee could also decide to approach the IRP informally to open discussion and seek advice prior to any further proposed actions.

Members’ questions and discussion points with the NHS Officers included:

- the local Member’s support for an informal approach to the IRP to seek independent advice and views before any further proposed actions;
- the CCG’s acknowledgement concerning the engagement process and subsequent formal consultations and learning points for the future including early engagement with Scrutiny;
- some Members’ views on the adequacy, timeline and voracity of the consultation process;
- concerns about the CCG in addressing the views and concerns highlighted by the consultation and points raised by this Committee’s Spotlight Review;

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- concerns relating to parking provision and constraints and ongoing dialogue by the CCG with local authorities in regard to public transport to mitigate parking constraints;
- concerns about the sufficiency and quality of intermediate rehabilitation care and community care services in the area and whether the interest of health services was best served by the CCG's proposals; and
- the threshold required for a formal referral to the Secretary of State and likely outcome.

Councillor H Ackland **MOVED** and Councillor S Randall Johnson **SECONDED**

(a) that the CCG be requested to keep this Committee:

(i) closely informed of the progress of their plan via an agreed timetable of updates; and

(ii) to provide up to date information on intermediate care operations that include emergency readmissions after discharge, delayed transfers of care and the number of patients that are taken from hospital to a care home bed and if they are able to go home after 6 weeks; and

(b) that the Clinical Commissioning Group be requested to make an evaluation of the efficacy of intermediate care in the Teignmouth/Dawlish area that includes qualitative patient experience case studies; and

(c) that this Scrutiny Committee makes an informal approach to the Independent Reconfiguration Panel seeking its advice and views about the issues and concerns raised in regard to the proposals (and whether the proposals serve the best interest of health services in the area) and the adequacy of the consultation process before any further action is considered.

Councillor M Shaw then **MOVED** and Councillor N Way **SECONDED** that the decision of the Devon Clinical Commission Group in regard to the proposals for Modernising Health and Care Services in the Teignmouth and Dawlish area be referred to the Secretary of State for Health and Social Care (and his Independent Reconfiguration Panel) by reason that the proposals do not serve the best interest of Health Services in the area and inadequacy of the consultation process (relating to, inter alia, the limited options available and inherent bias).

The **AMENDMENT** in the name of Councillor Shaw was put to the vote and declared **LOST**.

The **MOTION** in the name of Councillor H Ackland was then put to the vote and declared **CARRIED**.

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HEALTH AND ADULT CARE SCRUTINY COMMITTEE
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* **226** **Vaccination Programme in Devon**

(Councillor F Biederman attended in accordance with Standing Order 25 (2) and spoke to this item and asked questions relating to a breakdown of figures/data by District Council level, local and national comparisons)

The Committee received and noted the Report of the NHS Devon Clinical Commissioning Group Chief Nurse on the progress of the vaccination programme in Devon covering Care homes, roving access and access to vaccination centres, volunteer recruitment and timing and efficacy.

Timely information on vaccination and the health and care response to COVID19 was available at:

www.togetherfordevon.uk/priorities/coronavirus-covid-19

Members' questions and discussion points with the CCG Chief Nurse, Local Authority Strategic Lead for Mass Vaccination (Public Health) and Dr A Degan (GP) Clinical Commissioning Group Board (Eastern Locality) included:

- Devon as a whole was on target for the vaccination programme for over 80 and 70 year olds in accordance with the national guidelines and priorities;
- a new Centre in Barnstaple was now operating and increasing capacity in northern Devon;
- more granular data being compiled by NHS England should become available in due course;
- improved local access was developing through GP Primary Care Networks (PCNs) where vaccination was available in each of Devon's PCNs (or jointly) over 20 sites;
- roving teams and 'pop-ups' were also operating and being developed to serve rural communities, care/nursing homes and other home-based residents and patients should be able to access local practices in due course;
- volunteer take-up in Devon to support the programme was good at every level in accordance with national guidelines;
- the level of adverse reactions was very low and well managed;
- residents and staff in over 94% of Devon's care homes had been vaccinated and the remainder where outbreaks had occurred were being risk assessed and receiving additional support from the NHS and the County Council;
- generally, take-up of the offer was very high and more analysis was being carried out and the national recording system (for the second vaccination) was working well;
- uptake of the flu vaccination (on which information would be circulated to members); and
- the many positive individual stories of patients receiving the vaccination in well organised and welcoming centres and via local arrangements at every level.

Members expressed their thanks and gratitude for the work of NHS and social care management and staff and all the volunteers involved in the roll-out of the vaccination programme in Devon.

* 227 **Update on Phase 3 Elective Care Restoration**

The Committee considered the Report of the NHS Devon CCG Deputy Director in Hospital Commissioning on the national Phase 3 guidance (Third Phase of NHS Response to COVID19, dated 31 July 2020) which set out an expectation that systems would restore elective activity to:

- 90% of 19/20 levels by October for elective inpatient, day case and outpatient procedures
- 100% of 19/20 levels of MRI, CT and endoscopy procedures (by October) and
- 100% of last year's levels for new and follow-up outpatients.

The Elective Care Cell has been broken into 4 workstreams to support the delivery of the Phase 3 and the programme focussed on the priorities (detailed in the Report).

Members' questions and discussion points with the Director and Dr A Degan GP, Devon CCG (Eastern Locality) included:

- Use of more independent sector provision for less complex cases and more outpatient day cases;
- the need to encourage all patients to attend their local GP practices to avoid any delay in diagnosis and treatment and referral to hospitals as necessary and the need to improve this message to the public;
- proposals for development of 'cold' non-covid treatment centres and the national guidance to GPs in this area; and
- more information on progress would be available in due course for report to a future meeting.

* 228 **Update on the Level and Nature of Covid Funding received to Support the Impact of the Pandemic**

(Councillor A Leadbetter and F Biederman attended in accordance with Standing Order 25 and spoke to this item and referred to imminent discussion with local MPs and additional funding in regard to the pandemic and grants for free school meals and covid testing)

The Committee received and noted the Report of the County Treasurer on funds which had been received by the County Council during 2020/21 to for additional costs arising from the pandemic and the support contained within the Provisional Local Government Finance Settlement for 2021/22.

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The County Council had needed to respond quickly to a rapidly developing crisis to ensure people receive vital care and support. For Adult Social Care and Health this had included stabilising the adult care sector through sustainability funding and meeting extra costs; and practical support around personal protective equipment (PPE), testing, infection control, and recruitment. It had also included the provision of agency staff to ensure care homes remained open when high numbers of staff were off sick or isolating due to Covid-19.

The national situation continued to evolve and central government had put measures in place to manage the pandemic funding support to Local Authorities in responding to pressures.

The uncertainty of future government support to address the ongoing costs as a result of the Covid -19 pandemic was a key risk. Longer-term support may be needed for care providers and the authority continued to engage further with central government to seek adequate funding.

Members' discussion points with the County Treasurer included the ongoing and likelihood of additional longer term cost arising from the pandemic; and development by Public Health of a Test and Track Management Strategy and funding.

* 229 **Carers Spotlight Review - Update on Recommendations**

(Councillor A Leadbetter attended in accordance with 25 and spoke to this item with the consent of the Committee and referred to the role and good working relations within the Carers' Partnership Board)

The Committee considered the Report of the Locality Director North and East (Care and Health) (ACH/21/131) on a summary of the progress and actions in the Carers Programme as they related to recommendations from the Carers Spotlight Review. The Report included comment on some actions and/or recommendations where necessary notably the significant impact of COVID-19 on Carers.

The Report gave a detailed update on each of the Spotlight Review recommendations and the impact of pandemic on progress.

The Officers responded to Members' comments and questions relating to the good working arrangements and efficacy of the Carers Partnership Board which would address areas of the identified slower than expected areas of progress.

The Chair of the Partnership Board, Councillor Leadbetter indicated that the former Chair of the Spotlight Review (or any Member of this Committee), upon request, would be invited to attend the next meeting where progress would be discussed.

* 230 **Implementing Spotlight Recommendations: Rapid Response Services**

The Committee noted and received the Report of the Locality Director – North and East (Care and Health) (ACH/21/132) following the Spotlight Review of Rapid Response services in 2018. The Report was the second annual update to this Committee on the implementation of the recommendations. The recommendations had been grouped to provide a coherent response and had been progressed rated: green for either completed or embedded and amber for in progress or on-going requirements.

Progress on many workstreams across health and care had either been paused or limited over the last months as the response to COVID-19 which had consumed capacity and resulted rewritten short-term priorities nationally and locally.

Despite progress in some areas contained within the Report there were key areas that had been deprioritised and new opportunities for progress identified. The intention was still to provide an assessment of the capacity and requirement of short-term services across the system and the Service continued to develop and embed arrangements locally and assessments would be reported to a future Committee.

Members noted the positive outcomes through integrated care and health teams mitigating longer term care commitments.

* 231 **Scrutiny Committee Work Programme**

The Committee noted the current Work Programme subject to inclusion of the topics arising from this meeting.

[NB: The Scrutiny Work Programme was available on the Council's website at <https://www.devon.gov.uk/democracy/committee-Meetings/scrutinycommittees/scrutiny-workprogramme/>

* 232 **Information Previously Circulated**

The Committee noted the following list of information previously circulated since the last meeting:

(a) Briefing: Torbay and South Devon NHS Foundation Trust Update: 12 December 2020; 27 November 2020; and 13 November 2020.

(b) NHS England / Improvement Briefing (November 2020): Delivering an NHS COVID-19 Vaccination Programme.

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

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The Meeting started at 2.15 pm and finished at 5.28 pm

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

28 January 2021

Present:

Councillors A Dewhirst (Chair), Y Atkinson, K Ball, J Berry, J Brook, P Colthorpe, A Eastman, R Edgell, I Hall, J Hodgson, J Hook, R Radford, C Slade and C Whitton

Apologies:

Councillors R Bloxham and P Crabb

Members attending in accordance with Standing Order 25:

Councillors Croad, Hosking, Hughes and McInnes

* 211 **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* 212 **Public Participation**

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representations from the persons mentioned below, on a matter to be considered by the Committee that day, namely Active Travel in Devon (Minute *216):

- (a) Mr I Stewart, Network Development Manager from Sustrans gave a presentation on the proposal for a feasibility study for a traffic-free route between Moretonhampstead and Chagford;
- (b) Councillor N Heyworth, West Devon Ward Councillor for Chagford, spoke about the community engagement for adding the Moretonhampstead to Chagford route to the strategic plan; and
- (c) Mrs C Ash Wheeler spoke on how the Moretonhampstead to Chagford route was supported locally, had reached £8,000 of fundraising, and would respond to the threat of climate change.

The Chairman responded by thanking the above named for their attendance and representations, which would be considered by the Committee during its subsequent deliberations.

* 213 **Scrutiny Work Programme**

- (a) The Head of Scrutiny updated the Committee as to the Work Programme.

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- (b) On behalf of the Commissioning Liaison Members, Councillor K Ball updated the Committee on the position regarding Skanska and reported that the timeline for novation to the new company was planned for 1st April 2021.

214 **COVID-19 update**

(Councillor K Ball declared a personal interest by virtue of being a member of a COVID support group in Okehampton.)

The Council's Chief Executive updated the Committee on the current position within Devon relating to the COVID-19 pandemic. Key points included:

Prevalence:

- As of yesterday, Devon's headline rate in infectivity for the last 7 days was 124.3 per 100,000 population, against a national rate of 386 per 100,000 – Devon had the second lowest infectivity rate in the country.
- Torbay and Plymouth's rates were 174 and 241 per 100,000 respectively, and Cornwall and Somerset's rates were 183 and 286 per 100,000 respectively.
- As of last night, of approximately 2400 beds across the wider Devon area, 314 were currently occupied by COVID patients, which included some patients from other NHS areas, particularly Somerset and Dorset, who were closer to capacity.
- There were 36 patients currently in intensive care facilities, and 540 residents in the DCC area who were recorded as having died during the course of the pandemic.

Vaccine and Testing

- 95.5% of care homes had received their vaccines – which was a significant achievement.
- Currently, just under 80% of over 80s in Devon (including Plymouth and Torbay) had been vaccinated.
- To complement the national testing programme, County Hall had been set up as a community testing hub targeting particularly those in high risk occupations, the vulnerable and deprived areas, costing approximately £6.5 million, funded by central government grant.
- The Director of Public Health would circulate details of the County Hall community testing hub for Members' information.

Schools

- Schools remained partially open for key worker children and children who were vulnerable, and for the provision of online curriculum.
- Latest attendance figures for those on roll were 29% primary schools, 9% secondary schools and 41% special schools.

There was discussion around the forthcoming elections in May and the associated risks and difficulties involved if they did take place in the current circumstances. Members considered the elections should be delayed to later in the year when infection rates may be lower.

The Chair thanked the Chief Executive for his comprehensive report.

215 Treasury Management and Investment Strategy 2021/22

The Committee received the Report of the County Treasurer (CT/21/14) on the proposed Treasury Management and Investment Strategy 2021/22 financial year, prepared in accordance with the revised Treasury Management Policy Statement and revised CIPFA Code of Practice for Treasury Management, to be submitted to the Cabinet and the County Council for ratification following consideration by this Committee.

The Strategy set out the minimum revenue policy (MRP); capital expenditure funding; prudential indicators; the current treasury position; debt and investments; prospects for interest rates; the borrowing strategy; and the investment strategy. The key issues for 2021/22 were set out in the Overview section of the Report.

A typographical error was noted on page 4 of the Report, in the third paragraph, third line, which should correctly read "...Council with total internal borrowing of £94 million, i.e. the Council has borrowed £94 million...". The error should likewise be corrected at Table 5 on page 7 of the Report.

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

RESOLVED that the Treasury Management and Investment Strategy 2021/22 be endorsed and commended to the Cabinet.

216 Active Travel in Devon

(Councillor Hall declared a personal interest in this matter by virtue of being the Chairman of Cloakham Lawn Sports Centre where part of the Sustrans Cycle Way shouldered the boundary of the Charity's land.)

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

(Councillor Hosking attended in accordance with Standing Order 25(2) and spoke to this item.)

The Committee considered the Report of the Head of Planning, Transportation and Environment (PTE/21/3), which provided an update on the County's active travel plans, namely reporting on progress in delivering the

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Cycling and Multi-Use Trail Strategy; updates on national policy and funding initiatives relating to walking and cycling; and looking ahead to how this might impact on the planning and prioritisation of future infrastructure schemes.

The Council had a strong track record in delivering walking and cycling infrastructure, with over £20m invested in a range of urban and rural leisure schemes across the County over the past five years.

Government policy was changing and there was a drive to raise the ambition for increasing active travel in the interests of health, the environment, and the economy.

The Head of Planning, Transportation and Environment's presentation included:

- The completed schemes in Exeter, Barnstaple and Newton Abbot that had been delivered with the benefit of grant funding;
- Proposed schemes included completing the gaps in the Devon Coast to Coast on the Tarka Trail and Ruby Way; and progressing links between Seaton and Colyford and between Sidmouth and Feniton;
- The new Department for Transport, Gear Change document which set out a new bold vision for cycling and walking, and the design principles in the DfT guidance on Cycle Infrastructure Design;
- Applied suggestions so far included, segregation infrastructure/priority side road crossings; on-road treatments; and modal filters; and
- Welcome news that local community funding sources had been found to begin feasibility work to extend the Moretonhampstead to Chagford route, which was similar to the approach taken in other parts of the County, including in Ivybridge and the Boniface Trail between Crediton and Exeter.

Discussion points with Officer and Members covered:

- The Ivybridge to Bittaford local initiative where policy was needed to empower local groups to promote active travel and aid funding to move forward;
- The local aspiration for the Exe Valley trail to be extended to Bampton to enable a route all the way to Exeter; and for cycle routes in rural areas;
- Local Member support for the extension of the Wray Valley trail from Moretonhampstead to Chagford (see Minute *212);
- The need to get local routes included in District Local Plans which in turn would provide opportunities for further funding; and
- The importance of applying 20mph speed limits in certain areas.

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillors Colthorpe and Atkinson respectively and

RESOLVED that

- (a) that Cabinet be asked to develop policy which supports local people to develop and realise cycle and multi-use trails in local areas and to include scrutiny where appropriate in the development of policy; and
- (b) that Cabinet include consideration of the 20mph areas in positive active travel strategies.

* 217 **Libraries Unlimited Strategy**

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

(Mr A Kittow, Chief Executive of Libraries Unlimited and Ms T Witherick, Head of Library Service and Customer Experience were in attendance.)

The Committee noted the Report of the Head of Communities, which provided Members with an update on Library Services during the pandemic. It included data that reflected the demand on services throughout the year and provided valuable learning from changes to the way library members interacted with the services on offer and assisted in understanding the impact the pandemic had on customer behaviours.

A separate report outlined some of the areas of focus in the coming months.

In the third set of pandemic restrictions, the decision had been taken to temporarily suspend the opening of libraries and the mobile library services, but as from 18 January 2021 libraries were offering the resumption of essential and lifeline services such as choose and collect, and public access to computers for essential internet access e.g. benefit applications.

Mr Kittow then gave a presentation, the highlights of which and subsequent discussion covered:

- Key statistics;
- Staff had made over 6,000 telephone calls to vulnerable customers during the pandemic;
- There had been an increase in e-books, e-audio and e-magazines;
- Provision of Choose and Collect, book deliveries and Home Library Service;
- Loss of income from room hire, events, fees and fines, but many online events had taken place;

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- Secured recognition of the importance of IT access during lockdown 2;
- Libraries was a trusted source of information; and
- The important role of Libraries in health and wellbeing and economic recovery.

The Chair thanked Mr Kittow and Ms Witherick for their presentation and attendance.

* **218** **Problem Gambling Update**

The Committee noted the Report of the Head of Scrutiny outlining the steps the Committee had taken to influence the law and policy on gambling to safeguard protections for people who might be at risk of problem gambling.

It was noted that on 8 December 2020, the Culture Secretary launched a major and wide-ranging review of gambling laws to ensure they were fit for the digital age as committed to in the Manifesto. The call for evidence would run for 16 weeks and was due to close on 31 March 2021.

* **219** **Standing Overview Group: Community Support during Lockdown**

The Committee received the notes from the meeting of the Community Support during Lockdown Standing Overview Group held on 30 November 2020.

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

The Meeting started at 2.15 pm and finished at 6.00 pm