

County Council
Thursday, 29th April, 2021



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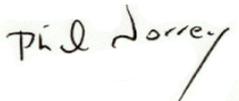
DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

21 April 2021

Your attendance is requested at the Meeting of the Devon County Council to be held virtually on Thursday, 29th April, 2021 at 2.15 pm.


Chief Executive

AGENDA

1. Meetings 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 18 February 2021.

4. Announcements

5. Items Requiring Urgent Attention

6. Public Participation: Petitions, Questions and Representations

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

7. **Petitions from Members of the Council**

8. **Questions from Members of the Council**

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

FRAMEWORK DECISION

NIL

OTHER MATTERS

9. **Cabinet Member Reports**

To consider reports from Cabinet Members.

10. **Minutes**

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

- (a) Audit Committee - 25 February 2021 (Pages 1 - 4)
- (b) Investment and Pension Fund Committee - 26 February 2021 (Pages 5 - 10)
- (c) Public Rights of Way Committee - 11 March 2021 (Pages 11 - 14)
- (d) Standards Committee - 23 March 2021 (Pages 15 - 20)
- (e) Appeals Committee - 19 April 2021 (Pages 21 - 22)
- (f) Procedures Committee - 20 April 2021 (Pages 23 - 24)
- (g) Development Management - 21 April 2021
The minutes of 21 April will be published [here](#) shortly after the meeting.
- (h) Children's Scrutiny Committee - 16 March 2021 (Pages 25 - 30)
- (i) Health and Adult Care Scrutiny Committee - 18 March 2021 (Pages 31 - 38)
- (j) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 25 March 2021 (Pages 39 - 44)

11. **Scrutiny Annual Report 2020/2021** (Pages 45 - 48)

To receive the Scrutiny Annual Report, a copy of which is attached to this agenda.

BREAK

NOTICES OF MOTION

12. Election Voting System (Minute 356 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643a) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Shaw and referred thereto in accordance with Standing Order 8(2), namely

This County Council 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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) note the various voting mechanisms in place and the lack of consistency across various organisations and throughout the UK;
- (b) welcome the current Council campaign that has been designed to encourage candidates to stand in the Election and also the investment made to promote the Elections and increase public participation through voting safely in person, by post or by proxy;
- (c) welcome any future legislative changes that increases participation in democratic processes; and
- (d) in light of the public being given the opportunity to vote to change the current voting system in 2011 and the referendum being lost, the Council take no further action on the Notice of Motion.

13. Elections - Campaigning (Minute 357 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643b) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Shaw and referred thereto in accordance with Standing Order 8(2), namely

This County Council 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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

(a) support the work of the Cabinet Office in developing online postal voting and furthermore supports any mechanism which gives choice to the electorate in terms of voting, but also notes that any changes would not be possible for the forthcoming Elections on the 6th May 2021, given the legislative changes required; and

(b) that in light of the new guidance issued by the Cabinet Office, which states that from the 8th March people campaigning in support of the electoral success of candidates or political parties will be allowed to deliver leaflets and canvass electors in relation to the elections, Council be recommended to take no further action on the Notice of Motion.

14. Climate and Ecological Emergency Bill (Minute 358 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643c) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hodgson and referred thereto in accordance with Standing Order 8(2), namely

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).

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

that Council be recommended to endorse the Notice of Motion and encourage local MPs to support the Bill. In doing so, Council will ask local MPs to work with Government colleagues to provide a national framework of necessary legislative changes and additional resources to facilitate the unprecedented levels of behaviour change, skills development, technology deployment and investment that will be necessary to meet Paris Agreement commitments.

15. Beach Breaks, Mental Health and Support of Initiatives (Minute 359 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643d) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Biederman and referred thereto in accordance with Standing Order 8(2), namely

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives

considered at that meeting the Cabinet subsequently **resolved**:

- (a) ask that Public Health Devon explore with the Devon Local Nature Partnership (LNP) and/or other partners to conduct a pilot study examining possible options to increase engagement with green and blue spaces in children, young people, and families on low income;
- (b) further ask Public Health Devon work with the Devon LNP and Active Devon to review and if necessary develop resources to promote local opportunities for walks or activities in green/blue space for to a wide variety of users e.g. family friendly, pram friendly, wheelchair accessible etc; and
- (c) increase communications using a social marketing approach that are targeted and relatable to improve confidence and allay anxieties about accessing the natural environment and facilitate behaviour change.

16. Sustainable future funding for Local Welfare Assistance (Minute 360 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643e) 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

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) maintain the Team Devon Financial Hardship scheme to support, as far as the resources permit, residents facing financial crisis for 2021/22;
- (b) campaign for a new funding allocation for councils from central government to provide schemes to address financial hardship and economic vulnerability be made available at the next comprehensive pending review and protected in real terms over the following years;

- (c) 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, and;
- (d) continue to work and engage partners as necessary to create the appropriate climate for job creation in the County to improve its prosperity.

17. Use of Neonicotinoids (Minute 361 of 18 February 2021)

To receive and consider the recommendations of the Cabinet (Minute 643f) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Wright and referred thereto in accordance with Standing Order 8(2), namely

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/7) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) endorse the spirit of this Notice of Motion given the significant environmental concerns relating to the use of neonicotinoids and calls on Government to carefully review its consideration of emergency use applications to ensure consistency with the objectives of the National Pollinator Strategy and the 25 Year Environment Plan; and
- (b) and note that with the new guidance recently received the motion has been superseded by Government action.

18. Saving Our Precious National Parks

Councillor Connett to move:

Our precious National Parks, including Dartmoor and Exmoor, are loved by millions and used by many thousands of people.

The LOCAL Park Authorities comprise LOCAL representatives who know and serve the community and keep LOCAL oversight of Dartmoor National Park and Exmoor National Park.

Government is understood to be considering setting up a National Landscape Service which would centralise services under one, nationally run, new organisation.

A National Landscapes Service that effectively replaces individual National Park Authorities would not be a positive reform:

- It is contrary to the Government's 'levelling-up' agenda which involves government decentralising power and working more directly with local partners and communities.
- The 2019 Conservative Party Manifesto stated that "the days of Whitehall knows best are over" (p.26) and pledged to give communities of all sizes far more control. This Council questions how a centralist National Landscapes Service would achieve this.
- The move is contrary to international good practice in the management of protected landscapes which emphasises the importance of management being undertaken with and through local people and mainly for and by them.
- Locally run and locally managed National Parks are able to respond in the most appropriate way to their own unique qualities and without the burden and red-tape of national management.

Therefore, this Council urges Government not to proceed with a National Landscape Service or to take any step which will remove local engagement and involvement in our precious national parks and Council instructs the Chief Executive to write urgently to the Prime Minister and local Members of Parliament serving Devon and Somerset setting out our support for our local National Parks.

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