

## COUNCIL

27 May 2021

### Present:-

Chair: S Barker

Vice-Chair: J Trail BEM

Councillors T Adams, Y Atkinson, S Aves, J Bailey, D Barnes, F Biederman, J Brazil, J Bradford, J Brook, P Bullivant, A Connett, C Channon, D Cox, R Croad, R Chesterton, I Chubb, P Crabb, A Davis, A Dewhurst, H Gent, R Gilbert, G Gribble, I Hall, R Hannaford, J Hart, M Hartnell, J Hawkins, L Hellyer, P Henderson, J Hodgson, S Hughes, A Leadbetter, C Leaver, F Letch, P Maskell, D McGeough, J McInnes, J Morrish, S Parker-Khan, R Peart, P Prowse, R Radford, S Randall-Johnson, I Roome, L Samuel, P Sanders, A Saywell, R Scott, D Sellis, C Slade, M Squires, D Thomas, P Twiss, C Whitton, J Wilton-Love, M Wrigley and J Yabsley

### Apologies:-

Councillors M Asvachin and J Berry

## 1 Election of Chair

Councillor Scott **MOVED** and Councillor Channon **SECONDED** that Councillor Trail be elected Chair of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

## **COUNCILLOR TRAIL IN THE CHAIR**

## 2 Appointment of Vice-Chair

Councillor Squires **MOVED** and Councillor Saywell **SECONDED** that Councillor Sellis be appointed Vice-Chair of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

## 3 County Returning Officer's Report

The Council received the Report of the County Returning Officer of persons elected at the County Council elections held on 6 May 2021.

**4 Appointment of Leader of the Council**

Councillor Hughes **MOVED** and Councillor McInnes **SECONDED** that Councillor John Hart be elected Leader of Devon County Council until the date of the Quadrennial Elections in 2025.

The Motion was put to the vote and declared **CARRIED**.

**5 Appointment of Deputy Leader of the Council**

Councillor Hart, the Leader of the Council, **MOVED** and Councillor Hughes **SECONDED** that Councillor McInnes be appointed Deputy Leader of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

**6 Appointment of Cabinet Members and Allocation of Remits**

Councillor Hart, Leader of the Council, **MOVED** and Councillor Hughes **SECONDED**:

“that the Council note that the Members shown in the Appendix circulated at the meeting have been appointed to the Cabinet and designated as Cabinet Members as indicated therein with the remits shown, to hold office until the date of the Annual Meeting of the Council in 2022”.

The Motion was put to the vote and declared **CARRIED**.

**7 Minutes**

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 29 April 2021 be signed as a correct record.

The Motion was put to the vote and declared **CARRIED**.

**8 Chair's Announcements**

The Chair of the Council welcomed all new and returning Members of the Council to their first ‘in person’ meeting and reminded all present about meeting etiquette.

He also wished Alison Howell (Members Services Officer) a very happy retirement and thanked her for her service to the Council and Members during her time in the Council’s employ.

9 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

10 **Appointment of Committees**

Councillor Hughes **MOVED** and Councillor Connett **SECONDED**:

(a) that in accordance with Standing Order 21 the County Council appoints those Committees, Joint Committees and Working Parties/Panels as shown in the Appendix circulated prior to the meeting and uploaded to the website with terms of reference set out in the Council's Constitution or set out therein for the period expiring at the date of the Annual Meeting of the Council in 2022;

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

(c) that, as in accordance with the Council's Scrutiny Procedure Rules, the County Council appoints the total numbers of voting (v) or non-voting (nv) members to those Committees, Joint Committees and Working Parties/Panels referred to (a) above as thus denoted in the Appendix (the Council's voting scheme) circulated with the agenda for the period expiring at the date of the Annual Meeting of the Council in 2022;

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

(e) that additional Members of Scrutiny Committees, Highways and Traffic Orders Committees, the Standards Committee and the Farms Estate Committee as detailed in the aforementioned Appendix (or to be nominated by those bodies listed thereon) be appointed for the period expiring at the date of the Annual Meeting of the Council in 2022 or as otherwise shown (subject to any change notified by the nominating body) or, in the case of parent governor representatives on the Children's Scrutiny Committee, following a ballot of eligible parent governors.

The Motion was put to the vote and declared **CARRIED**.

**11 Appointment of Chair's and Vice-Chair's of Committees**

Councillor Hughes **MOVED** and Councillor Hannaford **SECONDED**:

‘that Members shown in the Appendix circulated prior to the meeting and uploaded to the website be elected Chair and Vice-Chair of those Committees as indicated therein to hold office until the date of the Annual meeting of the Council in 2022’.

The Motion was put to the vote and declared **CARRIED**.

**12 Appointments to Outside Bodies**

Councillor Hughes **MOVED** and Councillor Hart **SECONDED**

(a) that members shown in the Appendix circulated prior to the meeting and uploaded to the website be appointed to those outside bodies listed to hold office until the date of the Annual Meeting of the Council in 2025 or such other date as indicated therein;

(b) that the Chief Executive be authorised to approve such changes to representation on the above bodies detailed in the Appendix circulated as may be notified from time to time by the relevant political group to which those places have been allocated by the Council.

The Motion was put to the vote and declared **CARRIED**.

**13 Petitions from Members of the Council**

There was no Petition received from a Member of the Council.

**14 Public Participation: Petitions and Representations**

There was no petition received from a member of the public.

There were no oral representations by any member of the public.

**15 Devon County Council Constitution**

Councillor Hart, Leader of the Council, **MOVED** and Councillor McInnes **SECONDED**:

"that, subject to necessary amendments to reflect the foregoing (Minute 6 above) the Council adopt formally the existing Devon County Council Constitution, previously circulated"

The Motion was put to the vote and declared **CARRIED**.

16 **Speed Limits - Deaf Academy and Wider Devon**

(Councillor Dewhurst declared a personal interest in this matter by virtue of being a trustee of the charity the Royal Academy for Deaf Education).

Councillor Dewhurst **MOVED** and Councillor Connett **SECONDED**

**Background to the Motion**

The Deaf Academy has been providing education and support for deaf young people in Devon since 1826. In September 2020, they relocated from Exeter to Exmouth to a new campus at the old Rolle College Site at Douglas Avenue.

The Deaf Academy is an education hub for 50 students, 30 of which stay within the residential provision on campus. Students are incredibly diverse and come from all over the country, with varying needs ranging from mobility, visual and special educational needs alongside their deafness.

Last term the Student Council started a campaign to reduce the speed limit. Other schools in Exmouth have 20 mph speed limits outside their entrances.

Unlike hearing children, deaf children cannot clearly identify cars in the distance or around corners through sound. They rely on sight and trusting the public are driving slowly in the area.

Douglas Avenue currently has a 30mph speed limit with various blind spots and does not have any targeted highway signage, traffic calming measures or crossing points near the Academy.

Consequently, the avenue poses a risk to students, staff and visitors and therefore:

**Motion to Council**

1. This Council applauds the Deaf Academy Student Council campaign to reduce the speed of traffic in Douglas Avenue. Council calls on our Highway Officers to urgently introduce a 20 mph speed limit in Douglas Avenue and install a zebra crossing outside the school to ensure that these children and young people can cross the road in safety, and,
2. Additionally, this Council calls on Highway Officers to bring a Report to Council before the end of 2021 on implementing 20 mph speed limits in the vicinity of all schools in Devon to ensure that all children and young people can arrive and leave their schools in greater safety.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**17 Councils for Fair Tax Declaration: Standing up for Fair Tax Practices**

Councillor Aves **MOVED** and Councillor Hannaford **SECONDED**

The Council notes:

That local residents are asking Devon County Council to sign up to the Councils for Fair Tax Declaration.

The Fair Tax Mark has developed the Councils for Fair Tax Declaration in collaboration with UK cities, counties and towns who believe they can, and should stand up for responsible tax conduct. [Councils-for-Fair-Tax-Declaration.pdf \(fairtaxmark.net\)](#)

As recipients of significant public funding councils should take the lead in the promotion of exemplary tax conduct. Polls have found that 63% of the public agree that the government and local councils should consider a company's ethics and how they pay their taxes as well as value for money and quality of service, when undertaking procurement. That three-quarters of people would rather shop or work for a business that can prove it is paying its fair share of tax.

Fair Tax Mark said there was "a pressing need for action", claiming that research it commissioned had discovered that 17.5% of UK public procurement contracts commissioned by local and national government over the period 2014-19 were won by businesses with connections to a tax haven, with a combined value of £37.5 bn.

Billions are missing from our public purse because some companies choose to avoid paying their corporation tax - the same companies who have since benefited from taxpayer support through this crisis or have asked for bailouts.

This means we have less money available for the vital public services we all rely on, and that the smaller, local businesses in our county can't compete because it's not a level playing field.

That other Councils around the UK have already signed up to the Councils for Fair Tax Declaration including Peterborough City, Oxford City, Oldham, Cannock Chase, and the Royal Borough of Greenwich.

The Council believes:

Councillors across the UK work hard to serve their local communities and help direct the delivery of essential public services. The Coronavirus pandemic has exposed major weaknesses in our economy and deep-seated inequalities in our society. To Build Back Better we must tackle tax avoidance and Councils can pioneer the promotion of responsible tax conduct through:

- Leading by example on their own tax conduct
- Demanding greater transparency from suppliers

Having gone through a decade of austerity and reduced council spending caused by government reductions in grants, where funds have not kept up with demands of inflation and extra demands of new legal statutory duties, we're now living through an era of unprecedented public spending due to the pandemic.

As a council, we have seen first-hand the challenge that a funding squeeze created for crucial frontline services. Local government has a proud history of standing up for responsible public sector conduct, ranging from paying the real Living Wage to promoting Fairtrade.

The Council resolves to:

1. Approve the Councils for Fair Tax Declaration [Councils-for-Fair-Tax-Declaration.pdf \(fairtaxmark.net\)](#)
2. Lead by example and demonstrate good practice in our tax conduct right across our activities
3. Require greater transparency from suppliers
4. Consider a company's ethics and how they pay their tax as well as value for money and quality of service provided, when undertaking procurement
5. Promote Fair Tax Mark certification for any business in which we have a significant stake and where corporation tax is due
6. Support Fair Tax Week events in Devon and celebrate the tax contribution made by responsible businesses who say what they pay with pride
7. Demonstrate good practice including:
  - ensuring contractors implement IR35 robustly and pay a fair share of employment taxes;
  - not use of offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty,
  - ensuring that there is clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position,

- undertaking due diligence to ensure that not-for-profit structures are not being used inappropriately as an artificial device to reduce the payment of tax and business rates; and
- supporting calls for urgent reform of EU and UK law to enable Councils to revise their procurement policies and better penalise poor tax conduct and reward good tax conduct.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

[NOTES:

*The Minutes of this meeting and of any Committee referred to above are available on the County Council's Website.*

*Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*

*A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-i.tv/core/portal/home>*

The Meeting started at 2.15 pm and finished at 3.21 pm