

**CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY
COMMITTEE**

24 June 2020

Present:-

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

Apologies:-

Councillors A Eastman

Members attending in accordance with Standing Order 25

Councillors R Gilbert and R Hosking

* **176** **Minutes**

RESOLVED that the Minutes of the budget and ordinary meetings held on 28 January 2020 be signed as correct records.

* **177** **Items Requiring Urgent Attention**

There was no matter raised as a matter of urgency.

* **178** **Public Participation**

There were no oral representations from members of the Public.

* **179** **Covid-19: Whole County Council Overview**

The Chief Executive (Devon County Council) reported on the current position within Devon relating to the COVID-19 pandemic and measures being undertaken by the County Council with the NHS and the private/voluntary care sectors to safeguard the public and mitigate the wider impacts of the virus, as follows:

- the relatively low number of positive cases and deaths in Devon (1100 and 125 respectively, to date), although the actual number of positive cases was likely to be significantly higher;
- Devon had one of the lowest number of cases and deaths nationally, 146th of 150 upper tier local authorities;
- with the recent relaxation of lock down rules and increased number of visitors, to date there had been no increased rate of positive cases;
- the incidents of cases in care home settings was the lowest nationally in the South West and Devon was the lowest in the South West according to figures by Public Health England and there was ongoing work to support Devon's care homes;
- the number of cases/deaths was supported by press coverage showing excess deaths in Devon was in the lowest category nationally and North Devon was the lowest overall;
- work to support care home settings, taking pressure off the NHS;
- the Council had established in January a multidisciplinary Pandemic Incident Team to help coordinate the response and advise the leadership group and now this was being disbanded with other governance arrangements in place;
- the Council had been chosen as a Beacon Council with a national profile;

- formation of the Health Protection Board and a Local Breakout Management Team (reporting to the local Outbreak Board led by the Leader of the Council) to coordinate the response in the South West both led by the Council's Director of Public Health with colleagues across the region;
- the excellent work of the communications team and the Transport Co-ordination Team during the pandemic; and
- staff surveys which indicated the positive view of employees relating to their welfare.

In response to Members' questions the Chief Executive's comments included:

- the current national operation of the test and track arrangements and which would in time include a local response with partners as required and the developing technology to improve this important area;
- the close work by the Council with partners to mitigate any outbreaks with the expected influx of more visitors to the County and the South West as lockdown rules were relaxed;
- contingency planning in regard to local outbreaks and the close work of all three tiers of local government in Devon and with voluntary local resilience groups in developing local initiatives across the County;
- it was anticipated that any local lockdown would be a last resort after all other mitigation actions had been put in place;
- the County Council had submitted financial returns to the Ministry of Housing, Communities & Local Government to cover the additional cost of the pandemic totalling £39.180 m of which £36.711m had been granted, representing a small gap of some £2.5m which was manageable (£26m was earmarked for Adult Social Care and Health (including £5m for PPE), £12.5m to support care providers, £5.7 m for Children's Services, and £2m for mortuary services, and £3m on other services);
- the current financial impact across the Districts and implications for future Council Tax demands was significant and a Team Devon led by the County Council would be addressing the overall economic impacts, noting the District Councils' significant loss of revenue estimated at £95 m across the County on which representations had been made to the Government Minister;
- value of Scrutiny in reviewing the management of the crisis and ongoing economic and other impacts; and
- the developing new ways of working arising from the pandemic for example the success of virtual meetings at all levels including Cabinet and other formal Member meetings such as this and the other Scrutiny Committees (Minute *185 below refers).

The Chair and other Members commended the Council's Leadership team and all staff in its response to the pandemic to mitigate its impact and protect the wellbeing of all communities in Devon.

* 180

Treasury Management Stewardship Report: Annual Report 2019/20

The Committee considered the Report of the County Treasurer (CT/20/47) on the outturn position, review of performance and key matters arising from the Council's Treasury and Debt Management activities during the 2019/20 financial year. The Report also included an update on the 2020/21 Strategy and detailed the minimum revenue position, treasury management outturn position 2019/20 – borrowing and investments, prudential indicators, and a 2020/21 update.

In discussion with the County Treasurer, Members referred to other investment opportunities arising from the low level of returns and associated additional risk.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor J Hodgson, and

RESOLVED that the Treasury Management outturn position 2019/20 be commended to the Cabinet and the County Treasurer's Treasury Team be congratulate for the positive outturn for 2019/20.

* 181 **Update on Flood Risk Management Activities and the Local Strategy Review**

The Committee considered the Report of the Head of Planning, Transportation and Environment (PTE/20/10) on an update on the activities being carried out by Devon County Council's Flood & Coastal Risk Management Team, in accordance with their responsibilities as the Lead Local Flood Authority (LLFA) for Devon, and the key points in regard to updating the Local Flood Risk Management Strategy for Devon, which was due for publication by January 2021 which replaced the current strategy, published in 2014. Additionally, the Report provided an update on the adoption of sustainable drainage measures, which was raised as an issue by this Committee at its meeting in March 2019.

Members' discussion points with the Officers included:

- there was no new national guidance on the production of Local Flood Risk Management Strategy and a project board had been established involving all the key stakeholders to draft the Strategy (in line with the duty to cooperate), prior to formal consultation;
- the need to highlight to landowners the potential ecological and other benefits for them with sustainable natural flood management measures as well as promoting community resilience and that a Best Practice Guidance was being developed for landowners and community groups;
- the Strategy was not ready for consultation and public engagement but could be made available to Members;
- the University of Exeter River Otter Beaver Study, the results of which would be reported to Government, had been referred to in the draft Strategy and examples of and further potential for natural spread to other areas;
- the Environment Agency responsibility relating to the main river catchments and the Council's responsibility in terms of responding to planning applications as a statutory consultee; and
- reference to Environment Agency proposals relating to Ilfracombe and Bishops Tawton which officers would discuss with the respective local members.

It was **MOVED** by Councillor J Brook, **SECONDED** by Councillor A Dewhirst, and

RESOLVED

(a) that the publication and use of the Best Practice Landowners Guide be supported to assist in the County Council communications around natural flood protection measures with landowners, communities, town and parish councils; and

(b) that the development of the draft Local Flood Risk Management Strategy for Devon be supported and that the outcome of the impending consultation be reported to this Committee.

* 182 **Standing Overview Group: Exeter Transport Strategy**

(Councillor R Gilbert attended in accordance with Standing Order 25(i) and spoke to this item referring to the constructive Standing Overview Group deliberations and recommendations).

The Committee considered the Notes of the Standing Overview Group meeting on 18 June 2020 on the Exeter Transport Strategy and its recommendations.

Members of the Group had been presented with a summary of the work undertaken to date including the draft transport strategy, public consultation responses and changes since this consultation, including how it had been updated to align more with Devon County Council's declaration of a climate emergency.

The Group had broadly supported the recommendations of the Strategy and its focus on improved travel choices for travel into the city; creating better places to support active travel opportunities for people travelling within the city and embracing the behaviour change and decarbonising opportunities which arose from better technology and innovation. The Group had noted the consultation response which was largely positive and had covered more than 1100 public responses as well as from key stakeholders and organisations. Discussions had covered connectivity, green lanes to increase walking and cycling, longer term projects, impact on business and proposed actions.

The Group had broadly supported the recommendations in the Exeter Transport Strategy with the addition of the recommendations below and asked that these be presented to Cabinet:

1. Consideration to make some of the temporary pop-up measures to support walking and cycling be made permanent and for the strategy to extend this to "Green Lanes" supporting active travel access from villages on the edge of the city.
2. That a list of potential transport projects is compiled with the aim of creating a clear implementation plan to support the strategy.

Members discussion with the Chief Officer and comments and discussion points included:

- some local misunderstanding about the green lane pop-ups in relation to social distancing and the COVID-19 pandemic;
- the local cycling infrastructure plan and cycling strategy and network for the City (which the Officer undertook to discuss with Councillor Whitton);
- the need to look beyond Exeter within a Cycle Strategy to include Tiverton for example;
- potential issues for public transport arising from the C-19 pandemic and that an officer public transport working group involving the County Council, Stagecoach and GWR was looking into the issues;
- the need to support any feasible proposal for park and ride to the south west of the City; and
- proposals for additional connectivity with rail stations in Cullompton and Okehampton on which announcements were expected.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor K Ball and

RESOLVED that the Standing Overview Group's recommendations as detailed above be commended to the Cabinet.

* **183** **20219 Locality Annual Report 2019/20**

The Committee received and noted the Joint Report of the County Treasurer, and Chief Officer for Communities, Public Health, Environment & Prosperity (SC/20/1) on the annual statement which summarised the allocations approved by Members submitted to this Committee for audit and monitoring purposes.

Each Member of the County Council was allocated a budget of £10,000 for 2019/20 to use to respond to local needs by giving grants in accordance with operating principle in Part 3 of Section 5 of the Constitution. All carry forwards would be allowed for 2020/21.

With the COVID-19 crisis, the Doing What Matters and Making the Connection, grant schemes had been suspended until further notice, with resources diverted to the newly created COVID-19 Prompt Action Fund (PAF). Through the COVID-19 Action Fund, the County Council would rapidly provide small (less than £500) and medium (£500 to £5k) amounts of grant funding to community-led schemes, which identified and/or achieved the

important things that could safely address some of the issues that arose because of the pandemic.

The Report detailed the Locality Budget Statement of 2019/20 which summarised expenditure in 2019/20 by each of the 60 Councillors. For each Member, Appendix 1 to the Report detailed:

- Total Locality Budget for 2019/20;
- Carried forward Locality Budget from 2018/19; and
- Total Locality Budget payments allocated in 2019/20.

An analysis of 2019/20 Locality Budget expenditure by project type was also detailed in the Report.

The Chief Officer undertook to update Members on the position in regard to the 'Invest in Devon' capital funding.

* **184** **Item Previously Circulated: Letter from the Department for Digital, Culture, Media and Sport: Gambling Harm**

The Committee considered a letter from the Department for Digital, Culture, Media and Sport: response to the Committee's Task Group Report on gambling harm which had been previously circulated to Members.

Members discussion points included:

- the response was inadequate and did not address for example issues relating to the proliferation of advertising by the gambling industry and indirect advertising before the watershed by TV coverage of horse racing;
- the need for further information relating to gambling related tax receipts and expenditure on rehabilitation programmes for problem gambling;
- the impact of the pandemic in terms of problem gambling; and
- noting that some forms of gambling were acceptable in terms of their minimum impact and pleasure it provided for non-problem gamblers.

The Head of Scrutiny reported that the Centre for Public Scrutiny would be working with the County Council to look at problem gambling and this would also involve the Gambling Commission's Expert by Experience Group.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor K Ball and

RESOLVED that Members draft a letter in response to the letter from the Parliamentary Under Secretary of State for Sport, Tourism and Heritage highlighting the issues and concerns outlined above and the need to explore further how problem gambling can be addressed.

185 **Virtual Meetings**

(Councillor R Hosking attended in accordance with Standing Order 25 and spoke to this item referring to some limitations of Virtual Meetings)

Arising on the discussions relating to the COVID-19 County Council Overview (Minute *179 above refers) Members discussed the benefits and success and some reservations of Virtual Meetings. These were allowed by the Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 and would apply to local authority meetings in England required to be held before 7th May 2021.

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Members considered that was merit in allowing flexibility to continue with Virtual Meetings after the regulations lapsed as well as face to face meetings when appropriate. This would help promote the climate change agenda, save members' and officer time and reduce expenses without detriment to the democratic process.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor Hall and

RESOLVED that the Cabinet be requested to write to Secretary of State to permanently change the law to enable virtual meetings to be a fixture of the effective running of local decision making for Local Authorities as this will support the most effective local decision making and action and further support green initiatives and carbon reduction.

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

The Meeting started at 10.30 am and finished at 2.00 pm