

County Council
Thursday, 1st October, 2020



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

23 September 2020

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 1st October, 2020 at 2.15 pm.

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

Chief Executive

AGENDA

1. Meeting Processes and Etiquette

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

2. Apologies for Absence

3. Minutes (Pages 1 - 14)

To approve as a correct record and sign the minutes of the meeting held on 23 July 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. **Proposed Extension of Shared Services Arrangement for Trading Standards - Plymouth** (Pages 15 - 26)

The Leader of the Council to move.

(a) note that the proposed renewal of the current shared Trading Standards Service arrangement with Somerset County Council and Torbay Council for a ten-year period starting from 1 April 2021 has been approved by Cabinet;

(b) note that the proposed extension of the current shared service arrangement with Somerset County Council and Torbay Council for delivery of the Trading Standards Service to also include Plymouth City Council was also approved;

(c) that, accordingly, Council approve the discharge of Plymouth City Council's Trading Standards functions as identified in paragraph 4 and Appendix 1 of this Report in accordance with s101 of the Local Government Act 1972 to be delegated to Devon County Council, recognising and accepting also

(i) responsibility for the specific delegations made to Devon County Council to support the transfer of the Relevant Functions, and

(ii) the need to extend the membership of the Trading Standards Joint Service Review Panel to include representatives of Plymouth City Council; and

(d) further note that the Head of Economy, Enterprise & Skills has been authorised to finalise and agree / amend the share service agreements with Somerset County Council, Plymouth City Council, and Torbay Council, and any other appropriate legal and financial agreements with Somerset County Council, Plymouth City Council, and Torbay Council in order for the proposed services to be provided by Devon County Council.

SHORT RECESS

OTHER MATTERS

10. **Cabinet Member Reports**

To consider reports from Cabinet Members.

11. Minutes

To receive and approve the Minutes of the under mentioned Committees

- (a) Audit Committee - 28 July 2020 (Pages 27 - 30)
- (b) Appointments, Remuneration and Chief Officer Conduct Committee - 30 July 2020 (Pages 31 - 32)
- (c) Appeals Committee - 7 September 2020 (Pages 33 - 34)
- (d) Procedures Committee - 15 September 2020 (Pages 35 - 42)
- (e) Investment and Pension Fund Committee - 18 September 2020 (Pages 43 - 46)
- (f) Development Management Committee - 23 September 2020
The minutes of 23 September will be published [here](#) shortly after the meeting.
- (g) Appointments, Remuneration and Chief Officer Conduct Committee - 28 September 2020
The minutes of 28 September will be published [here](#) shortly after the meeting.
- (h) Children's Scrutiny Committee - 8 September 2020 (Pages 47 - 52)
- (i) Health and Adult Care Scrutiny Committee - 10 September 2020 (Pages 53 - 58)
- (j) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 17 September 2020

The minutes of the 17 September 2020 will be published [here](#) shortly.

SHORT RECESS

NOTICES OF MOTION

12. Diversity and Council Policy (Minute 297 of 23 July 2020)

To receive and consider the recommendations of the Cabinet (Minute 543b) 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 notice of motion acknowledges the current situation facing underrepresented groups in Devon and seeks to support the work that is taking place UK wide to tackle racism and discrimination. Statistical data shows that individuals from Black Asian & Minority Ethnic (BAME) communities are underrepresented at every level in UK society, facing issues around social and economic mobility, and educational attainment, particularly affected by implicit racial bias and institutional racism.

Council recognises the contributions of individuals from BAME communities in society, business, and infrastructure across Devon both now and historically, and will not shy away from work which seeks to remove barriers, tackle prejudice and address inequality.

In doing so the council calls for:

- The review of Devon County Council's HR and Equalities practices and the inclusion of regular training for councillors and staff, to ensure the needs of under-represented groups are met through addressing poverty and encouraging economic and social mobility.
- Work with Schools, Academies, Trusts and educationalists in Devon to explore the prospect of making changes the curriculum to include BAME experiences, contributions, and the FACTs of History, throughout the year.
- Explore the possibility of an education transformation project in conjunction with schools that creates a suite of curriculum resources specific to Devon's history.
- Lobby Government to invest and resource changes to the curriculum across the UK through the support of organisations such as The Black Curriculum and via associated campaigns.
- An advisory board put in place linked to the Equality Impact Assessment for the Covid-19 recovery plan, to connect the experiences of BAME individuals within the community with the aim of driving forward positive change.
- Encourage County-based organisations to contribute to diversity and social mobility through reviewing the Councillor Locality Grant criteria to ensure it can include (but not exclusively); projects that contribute to addressing inequalities and raising educational attainment within under-represented groups.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/14) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

That Council be recommended to:

- (a) Support current and planned activities which help to:
 - (i) Enable everyone in Devon to participate in, and contribute, to its society, economy, and communities;
 - (ii) Remove barriers; and
 - (iii) Tackle prejudice and inequalities.
- (b) Request a peer challenge, based on the LGA "Local Government Equality Framework".
- (c) Encourage all mechanisms that would increase of the diversity of Councillors.
- (d) Support all Members to continue to actively engage with BAME people and organisations;
- (e) Provides advice and support to schools on how they can support students understanding of BAME experiences, their history and contributions; and
- (f) Notes that Members' Locality Budget Fund can be used to support the

diverse needs of all local communities.

13. Black Lives Matter Campaign (Minute ref 298 of 23 July 2020)

To receive and consider the recommendations of the Cabinet (Minute 543c) 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 welcomes the peaceful protests against the murder of George Floyd at the hands of a police officer, including those organised in Barnstaple, Ilfracombe, Exeter and Plymouth - and the way these have brought to light how this much of this country's wealth was built on slavery and other racial oppression.

This Council acknowledges the recent further pain caused to the BAME community, by the Windrush Scandal.

This Council acknowledges too, that the only way this deep historical wound can be healed is by people in high profile positions (especially politicians) proving that they are listening with compassion to the BAME community – and taking necessary action.

This Council resolves to pledge its support for the Black Lives Matter campaign by:

- taking a lead among public organisations in Devon to seek out opportunities to promote and celebrate the work in Devon by BAME people, both in the past and currently.
- Inviting every Devon County Councillor to:
 1. show leadership and support for people of colour in Devon, individually supporting the Black Lives Matter movement, using whichever public platform they feel most comfortable with;
 2. speak with people from the BAME community in their wards to determine what are the issues of concern for them - and take the necessary steps to resolve those issues;
- Writing to the Secretary of State for Education urging him to:
 3. review the primary school, GCSE and A Level national curriculum with a view to ensuring that the historical record of the British Empire is treated in a way which fully takes account of slavery, the actions and views of historical figures and other oppressive experiences of BAME people, many of whose descendants are now part of our community.
 4. show compassion and understanding by starting a national debate led by the BAME community, which seeks to define racism, the impacts of it in today's society - and demonstrate how we can all help people of colour feel

fully included and welcomed in the UK (this could be part of the current government review).

5. identify a Cabinet minister champion for the BAME community.

- inviting Devon town/parish/city councils to review any landmarks, street names or statues that implicitly celebrate slavery, with a view to clarifying their history, such as the historical plaque in Exmouth for slave trader, John Colleton, who also has three streets named after him in Exeter.

NB. Motion was created with students at The Kings School, especially young BAME people.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/14) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

That Council be recommended to:

- (a) Support Members to continue to find and take opportunities to promote and celebrate the role and work in Devon by BAME people past and present;
- (b) Support and encourage Members to continue to engage with BAME people;
- (c) Note that the streetnames etc are the responsibility of District Councils, however, should the County Council be involved in any such processes, the LGA guidance will be followed;
- (d) Encourage Schools, Settings, DCC Babcock LDP to write a 'Position Statement' in reference to the Black Lives Matter campaign and post clearly on their website;
- (e) Write to the Secretary of State for Education urging him to encourage schools to;
 - i. Capture the voice of children and young people and their responses to the Black Lives Matter movement;
 - ii. Ensure that the school environment and curriculum allows all students to see themselves reflected and included;
 - iii. Reflect on how they challenge historic and persisting racist ideas and to how they celebrate diversity.

14. **A Better Future For Local Government - Leadership and Finances (Minute 299 of 23 July 2020)**

To receive and consider the recommendations of the Cabinet (Minute 543d) 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

Local Councils have seen a huge reduction of £16 billion in core grant from central Government over the last 10 years and this is now a critical tipping point.

In spite of this, in the face of the global pandemic, councils including Devon County Council have been proactively working with the NHS, Public Health England, blue light services, supporting forums, local community volunteers, and other agencies, through the Local Resilience Forum to keep people safe from Covid19.

DCC has brought and distributed personal protective equipment (PPE), and helped set up logistical operations with others, to deliver medicine and food across wide geographies, and make sure vulnerable and older people receive the care and support they need, and crucially keep our children safe.

We have yet to work through the long term impacts that this will have on Devon's economy, schools, health services, and the most vulnerable people – Devon's 20% poorest communities, those with long term disabilities and mental health issues, and our black, Asian and minority ethnic (BAME) communities.

In Devon we are now facing unprecedented levels of financial burdens unless the costs of dealing with the pandemic are properly reimbursed by central government.

Council Believes

A new relationship must emerge between national, regional and local government that is based on central government's genuine belief that local is best. Our local response to the pandemic has demonstrated only local government working with its partners has the intimate understanding of our communities, places, people and services to do this effectively.

Let this be the 'new normal' a relationship between local and central government roles.

DCC and our local government partners must have the finance and ability to fully respond in this new environment and to the social, educational, public health and economic impacts of COVID-19, to find effective and

efficient local solutions.

Councils have a significant opportunity and role to do things differently now in developing;

- a sustainable net zero carbon economy working with the South West (HotSW) Local Enterprise Partnership (LEP) and business leaders
- reliable broadband to the whole of Devon
- sustainable transport and enhancing our cycling and walking infrastructure
- an integrated social and health care system
- agile and flexible working
- skills for all ages; and
- significant investment in the supply of social and affordable housing

Council Resolves

Devon County Council's approach for future actions must not only incorporate these seven key needs outlined but also seek more devolved powers. They must do this through representation to central government and our local members of parliament to acquire the necessary legislative and budgetary changes. Local government could then provide greater community leadership so that here in Devon we can better serve our people.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/14) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

That Council be asked to:

- (a) Note the Reports contained within the appendix of the briefing report; and
- (b) Carefully consider the detail of any proposals in the forthcoming Devolution and Local Recovery White Paper when determining what actions it may wish to take to best meets the needs and interests of the people of Devon.

15. Food Justice

Councillor Aves to move:

This council notes:

That Trussell Trust research shows three million children in the UK are at risk of hunger during the school holidays.
The Trussell Trust anticipates that ending furlough in October would trigger a rise in foodbank use of at least 61%.

Foodbank use has already dramatically increased. The Independent Food Aid Network recorded a 59% increase in demand for emergency food

support between February and March 2020.

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

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

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

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

This council believes:

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

Food justice is about taking action on the causes of hunger such as affordability and availability of good nutritious food.

That the stopping of furlough payments will lead to further unemployment and more food poverty as a result.

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

The council resolves to:

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

16. Devon Economy and Recovery

Councillor Atkinson to move:

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

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

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

This council will write to the government and request it:

- to ensure that there are no new austerity measures like those introduced in 2010 after the banking crisis;
- to set up a similar well-funded fund proportionate to the size of this country to provide grants to support Britain and Devon's economic recovery resilience and transformation;
- to make grants available out of the fund to invest in and support:
 - Devon's local food and drink production and suppliers, our farming and fishing industries in Devon, so as to protect jobs so that our food supplies are sustained throughout the pandemic and any shortages or delays experienced during the exit from the EU;
 - Devon's service sectors such as retail hospitality tourism education health human services information technology finance arts and culture;
 - Devon's shipbuilding and engineering and environmental science sectors
 - Devon's Green economy and sustainable energy production and transport systems and to support local industry to achieve net zero carbon climate change targets set by the Paris Agreement
 - Devon's blue economy - its marine environment which is aiming to become more sustainable;
 - New infrastructure to support sustainable green and blue growth.

17. Great South West Initiative

Councillor Atkinson to move:

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

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

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

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

18. The Protection of UK Jobs and Businesses

Councillor Hannaford to move:

Council Notes With Concern

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

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

Tens of thousands of job losses have been announced, and more mass redundancies are expected in these sectors, yet they will not receive any tailored support when the Government's jobs-retention scheme is scheduled to finish at the end of October. Our country is facing an

unprecedented jobs crisis. The Office for Budget Responsibility predicts that, by the end of this year, nearly one in eight of the UK's workforce will be unemployed.

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

Council Supports

The work of the Treasury select committee, that has called on the Government to "carefully consider" targeted extensions to its coronavirus job retention scheme, that is due to end for all sectors. The new 'Challenges of Recovery' report from the cross-party group of MPs, concludes that although the retention scheme "cannot persist indefinitely" the Chancellor should consider further support measures.

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

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

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

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

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

Council Believes That

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

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

Council Resolves

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

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