

County Council
Thursday, 22nd July, 2021



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

14 July 2021

Your attendance is requested at the Meeting of the Devon County Council to be held at Exeter Corn Exchange on Thursday, 22nd July, 2021 at 2.15 pm.

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

Chief Executive

AGENDA

1. Apologies for Absence

2. Minutes

To approve as a correct record and sign the minutes of the meeting held on 27 May 2021.

3. Announcements

4. Items Requiring Urgent Attention

5. 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.

6. Petitions from Members of the Council

7. Questions from Members of the Council

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

FRAMEWORK DECISION

NIL

OTHER MATTERS

8. Cabinet Member Reports

To consider reports from Cabinet Members.

9. Minutes

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

- (a) Appeals Committee - 7 June 2021 (Pages 1 - 2)
- (b) Investment and Pension Fund Committee - 18 June 2021 (Pages 3 - 10)
- (c) Standards Committee - 29 June 2021 (Pages 11 - 14)
- (d) Audit Committee - 30 June 2021 (Pages 15 - 20)
- (e) Public Rights of Way Committee - 1 July 2021 (Pages 21 - 24)
- (f) Procedures Committee - 2 July 2021 (Pages 25 - 26)
- (g) Appointments, Remuneration and Chief Officer Conduct Committee - 19 July 2021

The minutes for this meeting will be published here as soon as possible - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=201&MId=4428&Ver=4>.

NOTICES OF MOTION

10. Saving Our Precious National Parks (Minute 378 - 29 April 2021)

To receive and consider the recommendations of the Cabinet (Minute 9) 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:

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/10) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that Council be asked to note that this Authority, on behalf of Team Devon (Leaders and Chief Executives), has already explicitly addressed the issue raised by this Notice of Motion, indicating to Government and local MPs that any merger of the functions of our National Parks and Areas of Outstanding Natural Beauty would be strongly opposed. However, there remains a case for a National Landscape service bringing together and strengthening existing national support and protection of our natural environment and providing a strong national voice for all protected landscapes'.

11. Speed Limits - Deaf Academy and Wider Devon (Minute 16 - 27th May 2021)

To receive and consider the recommendations of the Cabinet (Minute 22) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Dewhirst and referred thereto in accordance with Standing Order 8(2), namely;

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/11) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

That Council

(a) thank the pupils at the Deaf Academy at Douglas Avenue for highlighting their concerns;

(b) agree any future proposals to address the concerns of the Deaf Academy are presented at a future East Devon HATOC; and

(c) support the proposal to include specific consideration of the application of 20mph limits around schools as part of the study into speed in Newton Abbot.

12. Councils for Fair Tax Declaration: Standing up for Fair Tax Practices (Minute 17 - 27th May 2021)

To receive and consider the recommendations of the Cabinet (Minute 22) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Aves and referred thereto in accordance with Standing Order 8(2), namely:

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.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/21/11) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved that:**

(a) the County Council is committed to supporting the principles and ethos relating to fair tax. This commitment is enacted through the Council's Financial Regulations and procurement policies. These regulations and policies align with statutory requirements and the Cabinet Office supplier accreditation standards and ensure best practice, adherence to regulations and ensuring those regulations are maintained;

(b) the Council already applies many of the considerations within this motion, wherever possible in the course of its work. For supplier qualification, the Council is required to apply Cabinet Office procurement policy which sets national standards for tax compliance as part of supplier qualification criteria for public contracts; and

(c) Council continue to support fair tax principles through the application of its financial regulations and procurement policies, however in order to remain aligned with Cabinet Office national policy for supplier qualification, Council be recommended not to formally sign the Declaration itself.

13. Limits to Vehicle Speed and Size on Minor Rural Roads

Councillor Hodgson to move:

This Council will investigate and seek policy based solutions that can be implemented, to address and mitigate the growing problem of large agricultural vehicles and HGVs that frequent minor rural roads that are unsuitable for their use, that will:

Limit the size of vehicles to improve safety for other road users and reduce damage to Devon Banks, old walls, hedges, wildlife habitats and roadside drains

Limit the speed of all motorised vehicles to be consistent with safe levels regarding visibility (i.e. blind bends and turns in the road) and the associated risk of collision with other road users.

Recognise of the rights of other rural road users, including residents, pedestrians, cyclists, persons with disabilities and wildlife; all of whom need safe access and use of rural roads with safety and tranquility.

Exercise DCC's legal duty to protect formally protected wildlife species and habitats and designated built heritage.

Seek to implement the 'Quiet Lanes scheme in and around rural settlements by inviting parish council's to propose roads that might be eligible for this designation (under the Quiet Lanes and Homes Zones (England) Regulations 2006.

14. 20mph Speed Limit Zones

Councillor Hodgson to move:

In response to the growing demand for safer vehicle speeds in town and village centres and along residential roads, this Council will now consider further applications for 20mph pilot schemes that can be implemented in parallel with the Newton Abbott pilot scheme to ensure a more timely response to supporting Active Travel measures that need reduced vehicular speeds to be implemented and effective.

15. Public Health Improvements and Active Travel Measures

Councillor Hodgson to move:

In light of changes to commuter and public travel and in recognition of this Council's commitment to post-COVID recovery measures as outlined in the recently published Public Health Annual Report for Devon, this Council will consider diverting financial resources away from new road schemes and instead re-invest these monies in an improved network of non-vehicular routes to enable Active Travel measures to be implemented more widely across Devon and provide these safe routes for residents in and around every town in the County (and ultimately every parish to be so linked to its closest towns and facilities). Such investment would then support the recommendations in DCC's own Public Health report, most of which seek improvements to fairness, air quality, access to active travel and access to nature to improve public health by extending the 'Health in All Policies' approach.

16. Biodiversity and Habitats

Councillor Hodgson to move:

This Council recognises the urgent need to support, protect and enhance biodiversity and habitats. It therefore agrees to:

1. Consider new ways that could be used through the planning system to ensure and check that wildlife and habitat mitigation measures agreed by planning condition are carried out and effective, and develop appropriate policies,
2. Work with Local Planning Authorities (LPA's) within Devon to ensure

that measuring and monitoring of wildlife and biodiversity is carried out at a range of key (indicator) locations over the life of their Local Development Plans,

3. Develop a policy that would seek implementation of urgent remedial actions that may be advised by recognised experts regarding habitat degradation,
4. Assess the potential cumulative impacts on wildlife and habitats as and when planning applications for major developments are proposed within 500m of wildlife corridors, known habitats of protected species, planning consultation zones, green field sites, together with the impact of other nearby residential or commercial development applications, sites or built up areas within 500 meters. This information to be part of the application papers prior to validation for the planning process.
5. Strengthen and implement fully, habitats screening prior to validation of planning applications,
6. Ensure that any littering in public spaces, in particular that left by waste collection services is cleaned up immediately and thereby prevent this wildlife hazard from spreading. This could be enforced by employing more Enforcement officers.
7. Consider options for 'on the spot' fines against developers who damage or harm significant wildlife habitats including Devon Banks, mature native trees and other habitats known to be used by protected wildlife species.
8. Ban the use of pesticides and herbicides including glyphosate (commercially known as Roundup) on Council owned land.
9. Consider virtual supports that can be provided to enable parish councils, local organisations and residents to propose highway verges and other publicly owned green spaces for Life on the Verge sites; i.e. sites that could benefit wildlife and biodiversity by being left to an out of season cutting regime. This could be provided via an extension of the on-line mapping pages to include a new 'Life on the Verge' page on the Report it (Highways) on-line services.

17. Women's Health Inequalities

Councillor Atkinson to move:

This Councils share concerns raised in the House of Lords recent debate following the call for evidence on women's health about the risk of COVID-19 accelerating women's health inequalities, for example due to delays in regular screening that are likely to increase the number of women with pelvic and breast cancers and the increased likelihood as data shows that women suffer more than men from long covid and other auto immune illnesses such as ME Fibromyalgia Sarcoidosis as well as Migraines.

This Council requests the Government to invest more into research on women's health when it sets out its strategy for improving women's health.

18. Single Use Plastics

Councillor Atkinson to move:

This Council believes we have a single use plastics problem in Devon and will respond to parliaments plastics waste enquiry Chaired by the Devon MP Neil Parish to suggest how we can overcome the single use plastics problem and reduce waste and ensure we do not export our single use plastic problem overseas.

19. Industrial Strategy

Councillor Atkinson to move:

The Government scrapped the 2017 Industrial strategy that this Council and the Heart of the South West spent much time responding to with plans. The Government's 2021 Build back better vision remains an aspiration and so far, there has been no announcement of any strategy to implement this. This is urgent as budgets are now set until 2022.

This Council

- Supports the recommendations in the industrial strategy council's annual report on March 2021 and
- Believes if Devon is to prosper and respond effectively to the economic effects of Brexit and the Pandemic the Government should as a matter of urgency, be developing a long-term Net Zero Industrial Strategy, to accompany a more detailed road-map for the huge job of transforming the UK's energy economy and post pandemic recovery and recognises that if the 2050 net zero greenhouse gas target is to be met it will need investment in skills and innovation to bring down the cost of the transition,
- Believes the Government should set out a refocused Healthcare Industrial Strategy, building on the successes of the old "Life Sciences Strategy" but focusing more on population health, and learning both the positive and negative lessons from the way the UK's health and life sciences sector responded to the pandemic.
- Asks the Government to provide more funding for research and development to support the local marine, Aerospace engineering and design businesses.

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