

COUNCIL

7 October 2021

Present:-

Chair: J Trail BEM

Vice-Chair: D Sellis

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

Apologies:-

Councillors M Asvachin, S Aves, J Bailey, J Berry, R Chesterton, I Hall, M Hartnell, L Hellyer, P Henderson, S Parker-Khan, L Samuel, P Sanders, M Squires and D Thomas

37 Honorary Aldermen: Ceremony of Conferment

Pursuant to the decision taken at the Extraordinary Meeting of the Council held on 27 May 2021 to confer the title of Honorary Alderman upon former Councillors Stuart Barker, Caroline Chugg, John Clatworthy, Polly Colthorpe, Richard Edgell, Roger Giles, Gordon Hook, John Mathews, Barry Parsons and Nick Way. The Chair presented to each Alderman a Pendant of Office and Commemorative Scroll.

The Leader of the Council, Councillor Hart and Councillors Connett and Biederman spoke to their nominations for Honorary Aldermen commending the eminent service they had given to the Council; remarks echoed by Councillor Hannaford and a number of other members of the Council. The Honorary Aldermen responded.

(Alderman Colthorpe could not be present at the ceremony and would be given her scroll and pendant separately)

38 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 22 July be signed as a correct record.

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

39 Announcements

The Chair of the Council reported that the Council had won a prestigious national award for a scheme that boosted the County's recycling rate and improved recycling collection services for over 250,000 Devon households. The nomination was for the Best New Idea category at 'The Local Authority Recycling Advisory Committee (LARAC) Celebration Awards 2021' and the awards ceremony took place next month. The Devon Authorities Shared Saving Scheme had improved how household waste was collected by some of the County's District Councils and treated in Devon. It had enabled Teignbridge, Mid Devon, North Devon Council, Torridge and East Devon District Councils to change their kerbside collections knowing that savings generated in cheaper treatment costs or a reduction in waste volumes would be shared back with them. As a result of the changes £6.8m had been saved in treatment costs and average recycling levels had improved overall from 47.9% to 55.2% with a reduction in waste volumes of 25kg/head (6%).

He further reported that the Council's commitment and approach to supporting health and wellbeing had been recognised on a national scale as the Council had been shortlisted in the prestigious Personnel Today Awards for the Health and Wellbeing Award – Public Sector. The winner would be announced on 16 November 2021 but until then, the Council would continue to expand its health and wellbeing offer. To have been recognised in this way in such a difficult year was a great honour.

The Council had also been awarded the 'Highly Commended for Reporting: Finance and Statistics' award in this year's PATROL Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards, recognising 2019/20 Annual Reports. The independent Review Group observed that the Council's report featured a clearly presented financial summary and breakdown of how income was used to fund maintenance, development and other traffic and transport-related services. It was also highlighted that the information was well presented and accessible on the authority's website. The words 'standout entry' were used.

The Chair also congratulated Katie McCabe and her family. Katie, aged 14, from Topsham had single handily navigated the UK on her 26' Morgan Gites, which was a small wooden sailing boat named 'FALANDA' during July and August 2021.

Katie had spent lockdown time restoring her boat with the help of her father David McCabe, a wooden boat builder and she had become the youngest person to sail around the UK single handed.

The Chair then wished the Council's County Treasurer, Mary Davis, a very long, happy and healthy retirement and thanked her for her many years of service and patient and steady guidance through many budgets over the years. The County Treasurer responded.

40 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

41 **Public Participation: Petitions, Questions and Representations**

The Leader was presented, by Mrs Olwen Foggin with a petition organised by herself containing approximately 750 signatures relating to a review of the green travel plans in Exeter, pollution issues and transport / cycle schemes.

A second petition was presented to the Leader by Councillor Wrigley on behalf of Councillor Alison Foden (Teignbridge) who could not be present at the meeting, concerning the future of Markham's Farm with over 1000 signatures.

The Leader indicated that the relevant Cabinet Member or Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days.

In accordance with the Council's Public Participation Rules, the relevant Cabinet Member responded to one question from a member of the public on the following matter:

- evidence for the isolation/purification of the sars cov 2 virus;

The question would be sent to the questioner who was not present at the meeting.

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

(NB: A copy of the question and answer are appended to these minutes and any supplementary questions and answers may be observed through the [webcast of this meeting](#))

42 **Petitions from Members of the Council**

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

43 **Questions from Members of the Council**

In accordance with the Council's Procedure Rules, the Leader and relevant Cabinet Members and a Committee Chair provided written responses to twelve questions submitted by Members of the Council relating to the following issues:

- Receipt of Universal Credit in the Council area, breakdowns, removal rollout, impact assessment regarding consequences and economic analysis;

- Lighthouse Beach Kingswear and when the beach and public path would be reopened for residents and visitors;
- Policies that enable local communities to help maintain their grit bins;
- the latest position on compensation for residents who live alongside the South Devon Highway between Newton Abbot and Kingskerswell;
- Afghan Evacuees, accommodation and support plans;
- Chudleigh Station Hill footpath widening;
- the Council's pension and investment strategy, with emphasis on ethical investment and fossil fuels divestment;
- support for the LGAs recommendation to Cop26;
- Investment and Pension Fund Committee decision and the residual level of investment expected following the transfer of assets, and the expected timetable for further changes in the balance of investment between new green technologies and established fossil fuel providers.
- legal obligations and commitments towards inclusivity and diversity in Devon and support for residents who live on public roads in residential areas of rural parishes, with speed limits of 30 mph or higher and the five identified pillars of action;
- Afghan refugees, temporary accommodation in Exmouth and how the resettlement programme would be further supported in Devon and local housing need; and
- Special Educational Needs funding, statutory duties and budget deficits.

The Leader, relevant Cabinet Members and Committee Chair also responded orally, as appropriate, to any supplementary questions arising therefrom.

(A copy of the questions and answers are appended to the minutes and any supplementary questions and answers may be observed through the [webcast of this meeting](#))

44 Cabinet Member Reports

The Council received reports from the relevant Cabinet Members on specific issues upon which they had been asked to comment, as set out below:

(a) Policy, Corporate and Asset Management

Councillor Hart commented, as requested by Councillor Hannaford on the proposal for a new 'devolution deal' for Devon and how this was being progressed on behalf of Team Devon. The Leader commented on specific aspects such as the separate bid by Plymouth and the outcome of discussions regarding this. The Leader was unclear on what the outcome of the bid might be. The recent change of Secretary of State and associated team may have an impact, but the focus of the discussion paper related to

levelling up, connectivity issues, broadband, road and rail, raising the skills of people in Devon and uplifts in production and also encouraging young people, including the important role of apprenticeships.

The Leader summarised that the Council was in a good position to go forward with a bid and emphasised the close work with the District Councils who were content with the proposals and supportive of the aims moving forward.

(b) Adult Social Care and Health Services

Councillor McInnes circulated a Report, as requested by Councillor Hannaford, on the care workforce in Devon, including the current shortfall, working through the pandemic, the risk to vulnerable people and also what the Council was doing to address the issue and the progress made to date. The Cabinet Member highlighted the current recruitment and retention challenges and said the latest [Proud to Care recruitment campaign](#) would run from late September 2021 until January 2022 which would show the range of opportunities in adult social care.

The Report also responded to the request from Councillor Hannaford to report on the Government announcements in relation to Health and Social Care including the 1.25% tax rise and also the impact of this policy decision. He reported there were a number of questions to be answered but there would be a financial impact on the Council from the 1.25% NIC tax rise; both as an employer and as a commissioner of adult social care providers.

The Report also highlighted, as requested by Councillor Letch, the arrangements made by the NHS in Devon to connect the parents of babies born with additional needs or disability with the relevant support organisations and charities. The Report highlighted that both the Council and the NHS commissioned and provided a range of services in this respect. The Council's commissioned services included Public Health Nursing and the various support and referral choices, the SEND local offer, the Disabled Children's Service, the Devon Early Years Complex Needs Service (Previously Portage), Children Centres, Pinpoint Devon (online directory of community services) and the Specialist Children's Community Nursing Service, Children and Family Health Devon (CFHD). The Report outlined numerous support organisations and Charities available to support families, carers, children and young people.

He also responded to questions on publicising the range of support mechanisms available in terms of babies with additional needs.

(c) Public Health, Communities and Equality

Councillor Croad circulated a Report, as requested by Councillor Hannaford on the Afghan Citizens Resettlement Scheme and the work the Council was doing locally to support the initiative, including any additional support for girls and women who had been subjected to female genital mutilation and further

work to help facilitate the Locally Employed Staff Resettlement Scheme for former Afghan interpreters and translators and their families, who had been working with Armed Forces.

The Report also covered the numbers to be given sanctuary, work with District Councils and arrangements for support and integration, as requested by Councillor Atkinson.

He highlighted that the Council and District Councils had been using the existing partnership for Syrian refugee resettlement as the basis for a response to the Afghan Locally Employed relocation scheme. Each District took a decision on whether and how to source housing, but all were highlighting an acute and intensifying shortage of affordable housing.

He also reported, as requested by Councillor Letch, on how Devon Registration Service engaged with parents when babies were being registered to suggest if additional support was needed and relevant signposting. The Report outlined that all birth registrations took place in person with new parents being given a library card and a book start pack which contained useful contacts. If parents voiced they needed support then contact information for family/children's services would be sought for them.

The Report contained information, as requested by Councillor Hannaford, on the Department for Work and Pensions new Household Support Fund scheme which was aimed at helping the poorest members of society. At the time of writing the Report, the Council had still not received any further information regarding the Household Support Fund scheme beyond what had been made publicly available. [Government launches £500m support for vulnerable households over winter - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/government-launches-500m-support-for-vulnerable-households-over-winter).

However, the Cabinet Member added that the size of the local allocation had just been announced as £5 million and that the Council would work with Team Devon to draw together learning from the 2020/21 Covid Winter Hardship Fund, wider hardship and welfare funding as well as joining up allocations.

Lastly, the Report responded to Councillor Leaver to her request for information on the provision of, and demand for, safe accommodation for Devon residents who were victims of Domestic Violence and Abuse in Devon, and relevant support services over the last six years. It highlighted that the Strategy for Domestic Abuse Support in Safe Accommodation in Devon outlined the current availability of safe accommodation in section 5. The Council had not commissioned safe accommodation for the last six years and prior to the Domestic Abuse Act had not been required to collect data on the demand for safe accommodation. This data was collected and held by District Councils. North Devon Against Domestic Abuse had provided a refuge for the last six years and a variety of providers had had Places of Safety.

(d) Children's Services and Schools

Councillor Leadbetter circulated a Report, as requested by Councillor Hannaford on the extra costs facing schools in England as a result of the coronavirus pandemic not be covered by the Government's support funding, in particular the additional costs of the pandemic on Devon's schools and the overall levels of budget deficits that they were carrying. The Report highlighted that schools had identified additional expenditure due to Covid, however the majority for the 20/21 academic year had been offset by Covid grants (for cleaning etc) or grants for Furlough (where eligible). Out of 135 maintained schools, five had reported a deficit budget and based on the latest reports, 12 schools were projecting a deficit for 2021/22 and these had a combined total deficit of £825,000. The remaining 130 schools had surplus balances for 2020/21 just short of £20m in total. Based on the current forecasts for 2021/22 this had reduced to 123 schools with surplus balances totalling £16.2m.

Councillor Leadbetter's Report also contained, as requested by Councillor Letch details on the fostering of children in families and institutions, to include the extent to which they were fostered as close to their community as possible to maintain links with friends and schools. The Report also provided some feedback on the views of young people and children who used the services.

Councillor Leadbetter also reported, as requested by Councillor's Hannaford and Biederman on coach firm operators across Devon and other bus companies experiencing driver shortages and in response to Councillor Hannaford the impact on school bus services, in terms of capacity, coverage and costs. He also reported on what the Council was doing in partnership and to assist operators to ensure that local children could access school and college and, as requested by Councillor Biederman, to ensure that people were not late for work, appointments and other important matters. The Cabinet Members Report stated the Council had a legal obligation to get children to school and was fulfilling this at present, however there had been an exception in the previous week. Whilst driver issues continued to be a challenge for Stagecoach, the Council had been in regular contact with the company and it appeared the high turnover and sickness rate was reducing, and they had many new starters as well as a recent pay offer. The situation was expected to improve over the next few weeks and months.

Last, the Report responded to Councillor Aves on the Pupil Premium, commenting on funding formulas, free school meals, the impact in Devon and school budget spending, support to schools with finance decisions and representations to the DfE. He added that Devon had a system to support maintained schools who were facing budget challenges and schools who were struggling due to the pupil premium change could apply to the Financial intervention Panel for financial support. Academies had other access to support either through their trust or sometimes the ESFA.

(e) Highway Management

Councillor Hughes circulated a Report, as requested by Councillor Dewhirst, on two issues. The first related to residents' concerns that unrecorded rights of way would not be recorded in time for the cut-off date of 2026. He commented that the legislation allowed for the Secretary of State to extend the date by up to 5 years, however, by acting in a proactive and cooperative way, the Council was well placed to work to the cut-off date of 1 January 2026.

The second issue related to the new LED lamps being rolled out across Devon and on progress to mitigate any harmful effects of LED lights on humans and recent reports concerning the negative effects on insects. The Cabinet Member commented on issues such as the current specification of the lights, dimming of LED lights, management software to operate LED lights, total numbers of LED streetlights installed and the use of shields, which tended to be installed as and when residents requested. It was further noted that Town and Parish Councils requested an array of different timings, which was currently not possible, but with the deployment of the remote management system the scenario could be considered. Also, the street lighting team and Council ecologist were in direct contact with one another to improve knowledge of both ecological and lighting concerns.

The Report also provided information, as requested by Councillor Wrigley, on road painting, yellow lines and disabled bay lines and delays in works being completed. This outlined that there had been a delay in disabled bays and HATOC waiting restrictions, however the Council had identified and engaged additional contractual resource to increase resilience and clear the backlog of lining schemes. A backlog of over 200 disabled parking bays had now been completed and from December onwards, advisory disabled bay applications would be delivered within target timescales. In addition, the 2020/21 HATOC waiting restrictions programme of works would be substantially complete and, on the ground, utilising this additional resource this month, with completion soon after.

(f) Economic Recovery and Skills

Councillor Gilbert circulated a Report, as requested by Councillor Hannaford, on the end of the Government's furlough job support scheme and the work of the Council, in partnership with others, to help and support those coming off the scheme to find new work, retrain, transition to self-employment and / or start-up businesses. The Cabinet Member highlighted the numbers accessing the support scheme and that the Authority continued to work with District Partners, Job Centre Plus / Department for Work and Pensions, Colleges, and wider community partners. The work had been supplemented by the Council's £6m recovery support package and current activity included the employability programme, youth hubs, support for people with a disability, the open up to skills programme, pre start-up support, business adaptation support – get set adapt, digital support – digital advance devon, e-commerce pilot, health and

social care skills accelerator programme, heart of the south west growth hub service and the thrive programme.

He also reported on poverty among pensioners, as requested by Councillor Hannaford, including the triple pension lock, the impact in Devon and work being done to ensure pensioners claimed the help and assistance they were entitled to. The Report highlighted that the [Social Security \(Up-rating of Benefits\) Bill 2021-22](#)¹ published on 8 September 2021 suspended the earnings element of the triple lock for 2022/23 and State Pensions were expected instead to rise by around 3.9%, in line with inflation. The Secretary of State for Work and Pensions had assured Parliament that the triple lock would be "[restored for the remainder of this Parliament](#)".²

Pensioners experiencing financial hardship could access DCC-funded help, including money advice from Citizens Advice and the hardship funds administered through the District Councils.

He reported, as requested by Councillor Atkinson, on the Team Devon Plan 19 Economy and Business Recovery Prospectus, its aims and priorities and progress in securing those and relevant investment, the cut to Universal Credit and the rise in National Insurance and the anticipated impact on low-income working families and children in Devon. The Report highlighted key announcements to date which included various funding streams (Government's Getting Building Fund, Fast Track training / bootcamp provision and the Kickstart Programme) and also reported on a study to identify specific issues affecting Coastal and Market towns and the type of support that could help these communities.

Also responding to Councillor Atkinson on the cut to Universal Credit and rise in National Insurance and its impact on low-income working families and children in Devon, the Report highlighted it was unclear how the proposals would specifically impact, but early work suggested the proposed cut could affect around 30,000 households. It was difficult to predict how other economic factors might also impact such as inflation and potential benefits from the upward pressure on wages, which were likely to have an impact on individual financial circumstances.

Last and also in response to Councillor Atkinson on how the Council was working with others in the South West region including Local Enterprise Partnerships to develop new partnerships to invest in the development of new wind power, 'green hydrogen' and carbon neutral and capture technologies in the Southwest, which included investment in the Future Skills Centre within East Devon, work with the University of Exeter through its Clean Mobility Centre, and joint activity around skills linked to the clean aviation pilot at Exeter Airport. The Council had set aside £1.4 million to support Natural Capital, Community Energy, and Green Innovation programmes and had

¹ [Social Security \(Up-rating of Benefits\) Bill - Parliamentary Bills - UK Parliament](#)

² [Pensions Update - Tuesday 7 September 2021 - Hansard - UK Parliament](#)

been in discussion with private sector green hydrogen developers and public sector partners to ascertain potential opportunities for Devon.

45 **Minutes**

In accordance with Standing Order 13(2), the Chair of the Council **MOVED** and it was duly **SECONDED** that the Minutes of the undermentioned meetings of Committees be endorsed.

Development Management Committee	-	21 July
Appeals Committee	-	6 September and 4 October
Procedures Committee	-	14 September
<i>(including Minute 9 and the associated amendments to the Constitution on Removal of Title of Honorary Alderman)</i>		
Investment & Pension Fund Committee	-	17 September
Audit Committee	-	21 September
Children's Scrutiny	-	7 September
Health & Adult Care Scrutiny	-	15 September
Corporate Infrastructure & Regulatory Services Scrutiny	-	23 September

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

46 **Limits to Vehicle Speed and Size on Minor Rural Roads (Minute 30 - 22 July 2021)**

Pursuant to County Council Minute 30 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that:

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 tranquillity.

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.

and having had regard to the advice of the Cabinet set out in Minute 41(a) of 8th September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that Council;

(a) continue to make site specific assessments on the need for any restriction based on size or class of vehicle;

(b) that the setting of speed limits continues to be aligned with existing County Policy; and

(c) agree Quiet Lanes schemes be considered on a case by case basis, but only where there is community support for a scheme.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

47 20 mph Speed Limits (Minute 31 - 22 July 2021)

Pursuant to County Council Minute 31 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that:

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 Abbot pilot scheme to ensure a more timely response to supporting Active Travel measures that need reduced vehicular speeds to be implemented and effective.

and having had regard to the advice of the Cabinet set out in Minute 41(b) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that Council;

(a) continue with the Newton Abbot pilot as per the Cabinet resolution; and

(b) that no other schemes be introduced in parallel; and

(c) that Elected Members are invited to make representations for communities that they would wish to see considered for 20 mph speed limits pending any change in County Policy.

Councillor Hodgson then **MOVED** and Councillor Biederman **SECONDED** that the vote be taken as a Poll Vote.

The **MOTION** was then put to the vote and declared **LOST**.

The **AMENDMENT** in the name of Councillor Hart was then put to the vote and declared **CARRIED**.

(in accordance with standing order 32(4) Councillors Biederman, Brazil, Connett, Cox, Dewhirst, Gent, Hodgson, Leaver, Roome and Wrigley asked that their vote against the amendment be recorded)

Councillor Biederman then **MOVED** and Councillor Hodgson **SECONDED** that the motion be amended with the removal of (b) indicated as a strikethrough below.

(a) continue with the Newton Abbot pilot as per the Cabinet resolution;
and

~~(b) that no other schemes be introduced in parallel; and~~

(c) that Elected Members are invited to make representations for communities that they would wish to see considered for 20 mph speed limits pending any change in County Policy.

The **AMENDMENT** in the name of Councillor Biederman was then put to the vote and declared **LOST**

(in accordance with standing order 32(4) Councillors Biederman, Brazil, Connett, Cox, Dewhirst, Gent, Hodgson, Leaver, Roome and Wrigley asked that their vote for the amendment be recorded)

The **MOTION** in the name of Councillor Hart was then put to the vote and declared **CARRIED**.

48 **Public Health Improvements and Active Travel Measures (Minute 32 - 22 July 2021)**

Pursuant to County Council Minute 32 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that:

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.

and having had regard to the advice of the Cabinet set out in Minute 41(c) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that Council;

'having declared a climate emergency, will reflect National and Local Policy announcements including the Transport Decarbonisation, Gear Change and Bus Back Better Strategies in future refreshes of the Transport Infrastructure Plan and related capital programmes'.

Councillor Hodgson then **MOVED** and Councillor Brazil **SECONDED** that the vote be taken as a Poll Vote.

The **MOTION** was then put to the vote and declared **LOST**.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

49 Biodiversity and Habitats (Minute 33 - 22 July 2021)

Pursuant to County Council Minute 33 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that:

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.*

and having had regard to the advice of the Cabinet set out in Minute 41(d) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that Council

- (a) endorse the urgent need to support, protect and enhance biodiversity and habitats in recognition of the climate emergency and the associated ecological crisis; and
- (b) continue to work with others in exploring practical approaches to achieving improved outcomes for wildlife linked to planning, development, and land use change across Devon.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

50 Women's Health Inequalities (Minute 34 - 22 July 2021)

Pursuant to County Council Minute 34 of 22 July 2021 2020 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

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.

and having had regard to the advice of the Cabinet set out in Minute 41(e) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and Council

(a) note the importance of considering gender as a factor when looking at the local impact of Covid-19, as reflected in the 2020-21 Annual Public Health Report for Devon;

(b) note the work of the Devon Covid-19 Recovery Coordination Group in relation to understanding and addressing the impact of Covid-19 and that it considers gender alongside other factors such as ethnicity, age and deprivation; and

(c) that this informs future work on how services can be more effectively targeted at different groups, including addressing the differing needs of men and women and supporting action in these areas.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

51 Single Use Plastics (Minute 35 - 22 July 2021)

Pursuant to County Council Minute 35 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

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.

and having had regard to the advice of the Cabinet set out in Minute 41(f) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and the Notice of Motion be endorsed and Council be recommended to respond to the Government's EFRA Committee plastic waste enquiry, noting some of the issues and ideas detailed within the briefing note circulated at Cabinet.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

52 Industrial Strategy (Minute 36 - 22 July 2021)

Pursuant to County Council Minute 36 of 22 July 2021 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

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.*

and having had regard to the advice of the Cabinet set out in Minute 41(g) of 8 September 2021:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet’s advice be accepted and given that the Team Devon expression of interest responds to the Notice of Motion, it is recommended that Council take no further action on the Motion, pending the outcome of the forthcoming discussions about a Devon Devolution Deal.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

53 Supporting Devon Residents into Homes of Their Own

Councillor Connett **MOVED** and Councillor Dewhirst **SECONDED**

Devon County Council calls on the Government to:

1. End the tax dodge loop-hole of second home owners switching from Council Tax to Business Rates and then claiming ‘small business’ exemption, so they pay nothing at all.
2. To re-extend the notice period given to tenants to 6 months
3. Maintain the Local Housing Allowances at Covid-levels (plus cost-of-living increases) to support families into homes

and that the County Council will:

1. Work with Devon's District, City and Borough councils to establish a 'housing taskforce' working across the county to tackle the flight to Air BnB and holiday rentals
2. Support the provision of urgently needed rented housing on County owned land

Council welcomes the research undertaken by property agents Colliers and published in August 2021, which confirms:

Local authorities are losing out on millions of pounds of council tax income because the Government's business rates system is still giving many holiday home and second home owners the opportunity to avoid paying the tax, provided they make their properties available to rent.

This situation has been made even worse by the pandemic.

Colliers estimates the total loss to local authorities from business rates relief for holiday lets in England and Wales alone is currently around **£110 million a year** - a significant sum that could certainly help bridge the gap in local authority finances, now suffering because of the pandemic.

Property owners who make their properties available to rent as holiday lets for 140 days of the year can claim they are a small business and as such can elect to pay business rates instead of council tax.

However, as small businesses they can claim for relief on 100% of the business rates payable if their properties have a rateable value of less than £12,000. Those properties with a rateable value between £12,000 and £15,000 are also entitled to a relief on a sliding scale in line with the Government's business rates relief policy.

Colliers has analysed the rating lists for the South West of England (Cornwall, Devon, Somerset and Dorset) where 9,600 new properties, claiming 100% business rates relief have entered the list in the last four years- an 82 % increase since the start of the 2017 Ratings List.

According to Colliers' estimates this flip from the council tax to the business rates list is costing the local councils an extra £16 million a year in council tax income. The South West now has 21,312 properties in the rating list that are eligible for 100% business rates relief and Colliers has estimated that if these properties at least paid council tax the local councils would benefit by £35.5 million a year!

Council also notes that the Office for National Statistics has reported:

The number of households living in the private rented sector in the UK increased from 2.8 million in 2007 to 4.5 million in 2017, an increase of 1.7 million (63%).

Over this period, the number of owner occupier households remained broadly consistent at 17.7 million households.

However, households owned outright increased from 7.9 million to 9.4 million while households buying with a mortgage fell from 9.8 million to 8.3 million.

The number of social rented households decreased by 200,000 households to 4.5 million.

Younger households are more likely to rent privately, with those in the 25 to 34 years age group representing the largest group.

Households in the 45 to 54 years age group saw the biggest percentage increase from 11% in 2007 to 16% in 2017, an estimated increase of 384,000 households.

Council welcomed the protection for tenants but is concerned about a rise in evictions

Due to Government action during the Covid pandemic, thousands of private sector tenants were protected from homelessness by the national ban on evictions.

However, that protective shield was removed on 31 May this year and, in addition, the notice period that a landlord must give a tenant was cut from six to four months

Citizens Advice said there's been a **17 per cent increase in people with issues about being evicted from their private rented accommodation**, comparing the first four months of this year with the same period a year ago.

It said there's also been a **36 per cent increase in the number of people seeking help with all types of problems in the rental sector.**

Private rented homes are like Hens teeth...

In Devon, we are seeing a dramatic shift in the availability of private rented homes.

In North Devon, the Reach Plc news organisation, reported on 8 August that there are 2000 residents looking for social housing on Devon HomeChoice but only 20 residential properties available for rent via Rightmove. In Teignbridge, there are 1000 applicants on the Devon HomeChoice register, a search of Rightmove on 9 August showed 5 rental properties available in Newton Abbot, 7 in Dawlish, 1 in Teignmouth, 1 in Ide, 1 in Bovey Tracey, 2 in Chudleigh and 1 each in Ashburton and Buckfastleigh with none in Exminster. In East Devon, there were 22 rental properties displayed on Rightmove. Anecdotal

evidence from other districts suggests this pattern of high demand and very low supply is repeated across Devon.

And this is an extract from an online search on 09 August 2021 for Air BnB properties for let in Devon

500+ Devon Holiday Cottages | House and Apartment ... -
Airbnb

<https://www.airbnb.co.uk> › United Kingdom › England

Find the perfect self-catered holiday cottage for your trip to **Devon**. **Houses** with a kitchen and **apartments** with free parking await you on Airbnb.

The Guardian of February 2020 reported....

Out-of-control' dominance of rentals in some communities depriving locals of homes, critics say

- **The Devon village changed by Airbnb**

In England, the area with the highest rate of Airbnb lets was [Woolacombe](#), Georgeham and Croyde, in Devon, with 23 listings for every 100 properties.

<https://www.theguardian.com/technology/2020/feb/20/revealed-the-areas-in-the-uk-with-one-airbnb-for-every-four-homes>

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

54 **Devons Housing Crisis**

Councillor Hannaford **Moved** and Councillor Whitton **Seconded**

Council notes with concern that Devon is in the grips of a serious housing crisis. Second home sales are soaring, private landlords are switching to holiday letting in huge numbers, significantly fewer homes are available to buy or rent, and both renters and buyers are being priced out of the county in an unprecedented way.

The post pandemic far South West property boom has especially compounded decades of systemic under investment in social and affordable housing, that has prevented local councils, housing associations, alms houses and charities from investing in more much needed homes for local people and families.

We know that across Devon we have thousands on the Devon Home Choice waiting lists, with thousands more not eligible to apply, and thousands more in often poor quality private rental stock. Home ownership is now only a distant dream for so many.

People who've lived here for generations are being pushed further away by property prices that they simply cannot afford.

Furthermore, we also risk our communities becoming unsustainable, we have a county wide recruitment and retention problem across all sectors, including at Devon County Council.

Council therefore resolves to;

- Set up a high level action group to look at using Devon County Council resources to provide some key worker accommodation for our own staff such as adult and children's social workers.
- That Devon County Council use its convening powers to host and coordinate a county wide Devon Housing Forum with all key partners to develop a range of effective local and grassroots solutions to help solve Devon's housing crisis, including key workers such as nurses, care workers, teachers, hospitality and retail sector and those serving in the blue light services.
- Work with all our local Members of Parliament to ensure that new Secretary of State for Housing and Local Government fully understands the collective housing challenges that we urgently face in Devon, and to secure the necessary powers and resources through the Devon Devolution Deal to make significant and lasting progress to provide people in Devon with somewhere affordable, safe and secure to call home.

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

55 **School Uniform Costs**

Councillor Hannaford **MOVED** and Councillor Adams **SECONDED**

Thousands of parents across Devon were again forced to pay over the odds for [school uniforms](#) this academic year.

The Government failed to issue legally binding guidance obliging schools to ensure that their specified clothing is reasonably priced in time for the start of the new term.

Under a new law passed by Parliament in April, schools will be required follow statutory guidance on uniform costs, forcing them to keep prices down.

It was widely understood that this guidance would be in place in time for the start of the 2021/2022 academic year

In addition to encouraging schools to consider making second-hand uniforms available, the guidance will also instruct them to look into allowing parents to kit out their children in cheaper high-street alternatives and to also demonstrate that they obtained the best value for money possible from their suppliers.

Parents with children in state schools spend on average **£315 per year for each primary school child** and **£337 per year on uniform for each secondary school child**, according to [research from The Children's Society](#).

This is more than three times what parents think is a reasonable cost for primary (£85) and secondary (£105) uniform.

The new law, introduced as a Private Members' Bill by Labour MP Mike Amesbury, that had widespread cross party support, could save hard-pressed parents [hundreds of pounds](#) over the course of their children's academic careers.

Council therefore resolves to formally write to all Members of Parliament in the Devon County Council area, clearly raising all the ongoing issues and concerns around the rising cost of school uniforms, to urge them to actively support the implementation of these changes at the earliest opportunity.

Furthermore with cuts to universal credit, increasing fuel and heating costs, and rising inflation, we need to support our families now by making school uniforms more affordable in Devon as we cannot wait for government decisions.

Council therefore also resolves to write to all our schools this term to ask them to urgently reconsider their uniform policies, and check that parents and families have the option of buying school clothing that is less expensive. In line with previous Department of Education guidance to local authorities, governors and schools for setting school uniform policy.

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

56 **Bovine Tuberculosis, Badgers and Vaccination**

Councillor Bradford **MOVED** and Councillor Biederman **SECONDED**

The badger cull is an attack on a native mammal without precedent in any country, in modern times.

As such – we shouldn't – and can't - stand by and watch from the sidelines. It is our wildlife, our natural heritage that is being decimated for no good reason at all.

I therefore propose that Council

1. recognises the impact of Bovine Tuberculosis on cattle, wildlife, and the farming community in the County
2. endorses good bio-security in the rural environment to reduce the risk of transmission of Bovine Tuberculosis;
3. confirms that this Council will not support the culling of badgers on Council land and will seek to amend its new leases accordingly. Any essential variation of such a lease clause will be subject to a formal request in writing and subsequent consent;
4. endorses vaccination as an important part of any long-term approach to reducing the general prevalence of the disease, risk to cattle or wildlife and its impact in Devon and resolves to support badger vaccination programmes, particularly in those areas most at risk of the spread of Bovine Tuberculosis, and to commit in principle to support them financially with Council and other resources.

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

57 Divestment (Fossil Fuels and Local Government Pension Scheme)

(Councillor Davis declared a Disclosable Pecuniary Interest in this matter by virtue of being in receipt of a Local Government Pension and withdrew from the meeting during its consideration).

Councillor Hodgson **MOVED** and Councillor Biederman **SECONDED**

Devon County Council notes:

- Devon County Council has around £157 Million invested in fossil fuels via the Local Government Pension Scheme. This is about 3.9% of its total fund and currently the 5th highest of all the Local Government Pension schemes in the UK[1]
- The United Nations Paris 2015 Agreement commits our governments to keep the global temperature increase to under 2 degrees and aim for 1.5 degrees. Carbon budgets produced by the Intergovernmental Panel on Climate Change, United Nations and the International Energy Agency show that preventing two degrees of warming relies on not burning 60-80% of all proven fossil fuels.

- With COP26 taking place in Glasgow in November 2021, there is increased emphasis by the UK government on showing global climate leadership, especially in relation to finance. Divesting our pension is a clear and meaningful action that can be taken at a local government level.
- Fossil fuel investments are financially risky as a result of both the Covid19 pandemic and the global transition to a more sustainable economic and environmental model. They are now being consistently out-performed by renewables.[2]
- Former Bank of England Governor Mark Carney warned in December 2019 that fossil fuel investments risk becoming “stranded assets” (i.e., worthless) as investors exit the sector. “A question for every company, every financial institution, every asset manager, pension fund or insurer – what’s your plan?”
- As continued investments in fossil fuels pose material financial risks to portfolios, funds have fiduciary duties to consider the benefits of decarbonising as part of their investment strategies. Fiduciary duty is defined by the Law Commission as ‘ensuring that pensions can be paid, ensuring that this is undertaken at the best possible value’.
- Pension funds have a legal duty to treat members “fairly as between them”. That means taking seriously the longer-term interests of younger members who may well be affected more by the climate transition.
- Continued engagement with fossil fuel companies does not stop them polluting and recent court action with Shell (DCC Treasurer’s Investment Management Report to Pension Fund Committee 17.09.21) indicates that company’s resistance to reduce its reliance on fossil fuels in line with the Paris Agreement.

This Council commits to:

1. Reviewing its Investment Strategy and developing and implementing a Responsible Investment Policy which rules out new investments in fossil fuel companies and divests as a matter of urgency from those fossil fuel companies it is currently invested in.
2. Calls on Devon County Council’s Pension Fund to divest from fossil fuels by requesting its representative(s) on the Pension Fund Committee to call for the development and adoption of responsible investment policies which:
 - (a) Immediately freeze any new investment in the top 200 publicly-traded fossil fuel companies.[3]
 - (b) Divest from direct ownership and any commingled funds that include fossil fuel public equities and corporate bonds to achieve net zero by **2030**, in line with the aspirations of our Devon Carbon Plan. This requires a faster rate of change than the current 7% transition per annum.

- (c) Set out an approach to quantify and address climate change risks affecting all other investments.
 - (d) Actively seek to invest in companies that will reduce greenhouse gas emissions and minimise climate risk.
 - (e) Seek investment in the Paris Aligned Benchmark via Brunel as part of the transition.
3. Recognising that fossil fuel investments should be considered as part of the council's 'carbon footprint' and divesting our pension fund is one of the most impactful steps we can take to reduce our impact on our community and the world. A detailed report on the carbon footprint of the Devon Pension Fund investments will be provided to this Council
4. Requests the Devon Pension Fund to poll its individual investors for their views of divestment from fossil fuel companies and increased investment in companies that support sustainable initiatives such as renewable energy.

Footnotes

[1] 2021 figures taken from the report *Divesting to protect our pensions and the planet – An analysis of local government investments in coal, oil and gas*. Available at: <https://www.divest.org.uk/councils>

[2] *Energy Investing: Exploring Risk and Return in the Capital Markets*, Joint Report by the International Energy Agency and the Centre for Climate Finance & Investment, Paris. Available at: <https://www.iea.org/reports/energy-investing-exploring-risk-and-return-in-the-capital-markets>

[3] As determined by the most recent Carbon Underground 200 list.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Investment and Pension Fund Committee 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 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 1.15 pm and finished at 6.36 pm