

COUNCIL – DECISION NOTICE

2 December 2021

Present:-

Councillors T Adams, M Asvachin, Y Atkinson, J Bailey, F Biederman, J Brazil, J Brook, C Channon, R Chesterton, I Chubb, A Connett, D Cox, P Crabb, R Croad, H Gent, R Gilbert, G Gribble, R Hannaford, J Hart, J Hawkins, P Henderson, J Hodgson, S Hughes, A Leadbetter, F Letch MBE, D McGeough, J McInnes, J Morrish, S Parker-Khan, R Peart, P Prowse, R Radford, S Randall-Johnson, I Roome, L Samuel, P Sanders, A Saywell, R Scott, D Sellis (Vice-Chair), C Slade, M Squires, D Thomas, J Trail BEM (Chair), P Twiss, C Whitton, J Wilton-Love, M Wrigley and J Yabsley

Apologies:-

Councillors S Aves, D Barnes, J Berry, J Bradford, P Bullivant, A Davis, A Dewhurst, I Hall, M Hartnell, L Hellyer, C Leaver and P Maskell

In Remote Attendance

Councillors A Davis, L Hellier, C Leaver and P Maskell

1 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 7 October 2021 be signed as a correct record.

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

7 Devon County Council's Vision, Ambition and Priorities: Our Strategy for 2021 - 2025

The Leader of the Council **MOVED** and Councillor McInnes **SECONDED** that the Report of the Chief Executive (CEX/21/1) together with Minute 68 of the Cabinet held on 10 November 2021 relating to the Council's Vision, Ambition and Priorities: Our Strategy for 2021 – 2025 be approved.

The **MOTION** was put to the vote and declared carried.

9 **Minutes**

The Chair of the Council **MOVED and it was duly SECONDED** that the Minutes of the under-mentioned meetings of Committees be approved.

Appointments, Remuneration and
Chief Office Conduct Committee - 20th October 2021
(including Council approval of minute 10 relating to the appointment of the Director of Finance)
Standards Committee - 4 November 2021
Procedures Committee - 16 November 2021
*(including Council approval of Minute 12;
Member Development Strategy 2021 – 2025)*
Appointments, Remuneration and
Chief Officer Conduct Committee - 16 November 2021
(including Council approval of minute 13 relating to the appointment of the interim Monitoring Officer and Proper Officer and also the endorsement of the role of Returning Officer being included within that interim role.)
Audit Committee - 23 November 2021
(including Council approval of minute 26 relating to the endorsement of Procurement Arrangements for External Audit 2023/24 to 2027/28)
Public Rights of Way Committee - 25 November 2021
Investment & Pension Fund Committee - 26 November 2021
(except minute 35 which is dealt with at minute 71 of this meeting)
Children's Scrutiny - 9 November 2021
Health & Adult Care Scrutiny - 11 November 2021
Corporate Infrastructure & Regulatory - 19 November 2021
Services Scrutiny

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

10 **Supporting Devon Residents into Homes of Their Own (Minute 53 - 7 October 2021) / Devon's Housing Crisis (Minute 54 - 7 October 2021)**

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that the Notices of Motion be supported and;

a) that the County Council assess the potential for it to offer accommodation to new social and key workers to attract them to work for Devon County Council;

(b) that the County Council, as a member of Team Devon (Leaders and Chief Executives), propose to Team Devon that a Devon strategic housing taskforce be established to help draw together the work of existing pan-Devon housing partnerships and focus on tackling homelessness and improving the availability of affordable housing in Devon; and

(c) that the County Council, as a member of Team Devon (Leaders and Chief Executives), proposes to Team Devon that it write to Devon Members of Parliament asking them to support changes to legislation and policy to address the housing problems in Devon described in the Notices of Motion. Team Devon's letter to MPs should propose strengthening the criteria on how a property becomes liable for Business Rates instead of Council Tax. Owners of these properties should have to show that they are commercially letting the property and not just declaring them available for rent.

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, nem. con.

11 Devon's Housing Crisis (Minute 54 - 7 October 2021)

See resolution on 'Supporting Residents into Homes of their Own'.

12 School Uniform Costs (Minute 55 - 7 October 2021)

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that Council support the issues as raised and outlined in the Notice of Motion and accordingly;

(a) writes to Devon MPs; and

(b) that schools be reminded of the impending statutory guidance and ask that they take a proactive approach.

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, nem. con.

13 Bovine Tuberculosis, Badgers and Vaccination (Minute 56 - 7 October 2021)

(Councillor's Morrish and Yabsley declared personal interests in this matter by virtue of being farmers / owning farms and additionally Councillor Morrish by virtue of being an auctioneer).

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

(a) recognise the impact of Bovine Tuberculosis on cattle, wildlife, and the farming community in the County;

(b) endorse good bio-security in the rural environment to reduce the risk of transmission of Bovine Tuberculosis through the continued

promotion and dissemination of DCCs TB information packs for farmers;

(c) endorse 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

(d) continue to assess the implications of the government's evolving strategy in relation to bovine TB and the resultant impact on the County Farms Estate.

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.

(In accordance with Standing Order 32(4) Councillors Asvachin, Bailey Biederman, Cox, Hodgson, Roome and Wrigley asked that their vote against the Cabinet amendment and motion be recorded)

**14 Divestment (Fossil Fuels and Local Government Pension Scheme)
(Minute 57 - 7 October 2021)**

(a) that the Devon County Council notes:

- The Devon County Council Pension Fund has committed to achieving net zero investment portfolios by 2050, or sooner.
- Significant progress has already been achieved with a reduction in the Weighted Average Carbon Intensity of the Fund's equity investments of 37% since March 2019, and a significant reduction in fossil fuel reserves exposure.
- 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.
- The Devon Fund invests via the Brunel Pension Partnership, who are seen as leaders in the investment world in their approach to climate change. Brunel have played an active role in COP26 that took place in Glasgow during November 2021 including meetings with key policy makers, pressing for changes in the investment industry to support the transition to net zero. Faith Ward from Brunel sat on a panel on: "*Deploying capital in the age of planetary boundaries*" with Mark Carney, former Governor of the Bank of England.
- The Devon Pension Fund has taken action to move its UK and factor based passive equity allocations to new benchmarks that will be climate transition aligned and support companies who are effectively transitioning their businesses as well as significantly reducing fossil fuel reserves exposure.

- That the revenue obtained by fossil fuel companies from their customers dwarfs any funding they receive from equity investors, and that working with all investee companies to transition their reliance away from the consumption of fossil fuels in the course of their business is therefore the most effective means of preventing the burning of fossil fuels and generating real progress in tackling climate change.
- As climate change poses material financial risks to portfolios, pension 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’. The Devon Pension Fund fully endorses the need to address climate change risks through its investment strategy.
- 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.
- Divesting shares in fossil fuel companies does not stop them polluting and continued engagement has a significant role to play in achieving progress on combatting climate change.

(b) that the Council, in its capacity as the Administering Authority of the Pension Fund, commits to:

1. Continually reviewing its Investment Strategy and Responsible Investment policies to ensure they remain fit for purpose and effectively manage the risks posed by climate change.
2. Maintaining responsible investment policies which:
 - (a) Seek to achieve net zero investment portfolios by 2050 or sooner.
 - (b) Seek a reduction of between 50-75% in the Weighted Average Carbon Intensity of the Fund’s investments by 2030.
 - (c) Continue to quantify and address climate change risks affecting all investments.
 - (d) Actively seek to invest in companies that will reduce greenhouse gas emissions and minimise climate risk, through for example a target to invest 5% of the Fund in renewable energy infrastructure by 2025, and investment in funds that reward positive progress by companies in transitioning their businesses in line with the Paris Agreement.
 - (e) Invest in funds that track the recently launched Climate Transition and Paris Aligned Benchmarks via Brunel as part of the Fund’s asset allocation strategy.

3. Continuing to provide a detailed report on the carbon footprint of the Devon Pension Fund investments on an annual basis in the Pension Fund Annual Report.

4. Consulting regularly with pension fund members on their views on responsible investment, including the Pension Fund's policies on climate change.

(In accordance with Standing Order 32(4) Councillors Bailey, Biederman, Roome and Wrigley asked that their vote against the Committee amendment and motion be recorded)

15 Restoring Railway Resilience

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

16 After COP 26

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

17 Behaviour Change and Phasing Out Fossil Fuels

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

18 Community Composting Initiatives

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