

County Council
Thursday, 8th December, 2022



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DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

30 November 2022

Your attendance is requested at the Meeting of the Devon County Council to be held in the Chamber at County Hall, Exeter on Thursday, 8th December, 2022 at 2.15 pm.

A handwritten signature in blue ink, appearing to read 'S. Carter'.

Chief Executive

[Councillor Chaz Singh representing the Sikh faith will be a guest speaker. He is a Sikh educator and represents the Drake ward at Plymouth City Council as an Independent Member. This will be at **2.10pm**, prior to the commencement of the meeting and all Members are welcome to attend].

AGENDA

1. Apologies for Absence

2. Minutes

To approve as a correct record and sign the minutes of the meeting held on 6 October 2022.

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 - 3 October 2022 (Pages 1 - 2)

(b) Appeals Committee - 7 November 2022 (Pages 3 - 4)

(c) Appointments, Remuneration and Chief Officer Conduct Committee - 13 October 2022 (Pages 5 - 6)

(d) Appointments, Remuneration and Chief Officer Conduct Committee - 11 November 2022

The minutes for this meeting will be published here shortly -

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=201&MId=4873&Ver=4>

(e) Appointments, Remuneration and Chief Officer Conduct Committee - 24 November 2022

The minutes for this meeting will be published here shortly -

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=201&MId=4872&Ver=4>

(f) Public Rights of Way Committee - 3 November 2022 (Pages 7 - 10)

(g) Standards Committee - 17 November 2022 (Pages 11 - 14)

(h) Investment & Pension Fund Committee - 25 November 2022 (Pages 15 - 20)

- (i) Audit Committee - 29 November 2022
The minutes will be published here soon after the meeting - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=161&MId=4567&Ver=4>.
- (j) Children's Scrutiny Committee - 15 November 2022 (Pages 21 - 26)
- (k) Health and Adult Care Scrutiny Committee - 22 November 2022 (Pages 27 - 34)
- (l) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 24 November 2022 (Pages 35 - 42)

10. Endorsement of DCS (Interim)

The Council is asked to endorse the interim appointment of Julian Wooster as DCS for the Council.

Electoral Divisions(s): All Divisions

NOTICES OF MOTION

11. Bus Passes (Minute 145 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(a) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Brazil and referred thereto in accordance with Standing Order 8(2), namely

'Pensioners can travel free on buses after 9.30am. This council will introduce an enhanced bus pass which will allow those aged 80 and over or registered blind to travel free before 9.30am. A similar scheme is available in Plymouth'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that the County Council keeps the time of free travel the same for all eligible residents as now – from 0930 Monday to Friday'.

12. Housing White Paper (Minute 146 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(b) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Atkinson and referred thereto in accordance with Standing Order 8(2), namely

'Historically, the Government's answer to the housing shortage has been to broaden access to home ownership with schemes such as the discounted sale of council housing to sitting tenants. Effectively, this has provided each buyer with a subsidy of up to £100,000 via discount entitlement. The

programme has contributed little to the supply of affordable housing in a locality yet its cost to local government is and has been colossal.

Because such costs have been incurred by means of accepting a below market price for a publicly owned asset rather than by direct government expenditure, the true cost of the scheme to the public purse has never been easily identifiable. However, if the government wishes to pursue its recently declared intention to promote housing association right to buy sales this would change as the associations concerned would expect Treasury compensation for the value of discounts approved.

What has not been identified is where would this money for the extension of the right to buy to Housing Associations would come from. It is worth noting that when this was last proposed in 2015 it was to come from the sale of high value council houses, which proved unworkable and the proposal was dropped.

This Council believes that the government should instead focus its policy on increasing the supply of affordable houses through measures such as the following first-time buyer assistance proposals and social housing development proposals:

1. Mandating developers to include below-market price housing for sale (as well as affordable rental) in residential developments on the grounds that the discount is effectively financed by taxing land value
2. Lowering both the income and wealth threshold for home ownership access, to the benefit of lower income households via the shared equity model (e.g. Help to Buy).
3. Enabling development of for-sale housing offers by state agencies such as local authorities or housing associations as a means of providing dwellings that can be sold to qualifying applicants at cost price (i.e. no need to factor-in profit), while also expanding overall housing supply to the benefit of the wider market
4. Provide a subsidy per dwelling to local authorities and housing associations to build houses for rent at social housing and affordable rents in areas where there is a waiting list for such properties and for those who do not qualify for the help to buy provisions in 2 & 3 above.

This **Council resolves** to propose the above measures to the Devon Housing Forum and to make representations supporting such recommendations to the government in response to the White Paper.'

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that Council notes the issues raised and will continue to work as part of the Devon Housing Task Force'.

13. Funding for Local Government (Minute 147 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(c)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Whitton and referred thereto in accordance with Standing Order 8(2), namely

This Council

- Notes the National Audit Office figures show central Government funding for local authorities in England has been cut by 52.3 percent overall in real terms between 2010-11 and 2020-21; in Devon County Council it has been closer to 75%.
- Believes the Government must address the financial challenges arising from this decade of underinvestment together with the additional financial pressures local authorities now face because of such factors as increasing fuel and staffing costs, increased social care referrals, high vacancy rates across frontline services and other challenges associated with covid-19, and loss of income.
- Notes recent Local Government Association analysis that social care-providing authorities are spending more than 60 percent of their outgoings on these essential care services.
- Believes we need locally led initiatives to improve equality, sustainability and resilience, including providing genuinely affordable, energy efficient homes, supporting socially necessary bus services, providing adult and child social care, support for older people, looked-after children, care leavers, people with disabilities or special educational needs, survivors of domestic violence and low-income families in crisis.
- Believes the government must take action to ensure the financial stability of local government and its ability to plan, sustain and improve community and essential frontline services.
- Believes the need for the government to address the financial pressures on local authorities and their ability to deliver frontline services is urgent and immediate.

This Council resolves

To call on the Government to develop a national funding strategy that will provide Devon and other local authorities with the funds required to protect and restore spending on social care, community and frontline services to sustainable levels and reset local economies in the autumn budget.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

- (a) that the County Council supports the LGA and CCN in calling for the earliest possible resumption of the Government's Fair Funding Review to ensure that the true costs of delivering public services particularly in rural

areas are properly funded and the needs of all our communities – rural, coastal and urban – are met;

(b) that the County Council supports the LGA and CCN in calling on Government to ensure this year's Local Government Settlement recognises the unprecedented pressures on the sector so that Councils are adequately funded to protect public services;

(c) that the County Council calls on Government to delay the charging reforms to adult social care services, and to reinvest funding earmarked for these proposals in local government to help ease the pressures on social care;

(d) that the County Council calls on Government to rebalance funding between health and social care, by allocating more of the £13bn committed to tackling the NHS backlog to Councils who can work with NHS partners to invest in preventative social care and help ease the pressure on our hospitals; and;

(e) that the County Council calls on Government to urgently approve the Council's Safety Valve Intervention Fund proposal or provide temporary respite by rolling the Dedicated Schools Grant deficit forward a further year.

14. Second Homes and Council Tax Premium (Minute 148 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239 (d)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Brazil and referred thereto in accordance with Standing Order 8(2), namely

'This Council will adopt a 100% Council Tax premium on second homes as soon as legislation allows'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that as soon as legislation allows the County Council will ask each of the District Councils to give consideration to adding the Council Tax premium on second homes to their Council Tax schemes'.

15. Pedestrian Priority in Highways Policies (Minute 149 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(e)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Wrigley and referred thereto in accordance with Standing Order 8(2), namely

'In January 2022 the new version of the Highway code reinforced the principles that pedestrians have higher priority than cars, as do cyclists and

others.

In Devon County Highway discussions, too often the impression is given that car drivers have priority of consideration in the design of road layout, speeds and other considerations.

This Council asks for a systematic review and re-appraisal of priorities in Highways policies such that pedestrians are actively and always considered first, and vehicle traffic takes second place, in line with the new highway code.

In particular this should be emphasised in the considerations of speed limits and restrictions, pedestrian crossings, parking restrictions and in consultation responses for planning of new developments. Consideration of pedestrians must include safety and the perception of safety from a pedestrian point of view.

Council asks for this review to be done within 6 months and to receive reports on changes required in currently applied policies or demonstration of how pedestrian considerations and experience is prioritised’.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/20/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

‘that Council recognises that the safety of pedestrians and vulnerable road users is paramount in the planning, delivery, operation and maintenance of highway infrastructure and the planned review of the Local Transport Plan should be used to reinforce the hierarchy of users’.

16. Environmental Protections (Minute 150 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(f)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Bailey and referred thereto in accordance with Standing Order 8(2), namely

‘This Council is strongly opposed to the reckless ripping up of environmental protections by the Conservative Government including the creation 38 new investment zones which have been described by the RSPB as “an attack on Nature”. This Council urges the Government to uphold the legal protections which are vital for wildlife particularly as the UK is one of the most nature depleted countries in the world (it is in the bottom 10% of the world’s countries well below China and the last among the G7 group of nations)’.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that the County Council writes to the Secretary of State for the Environment to highlight:

(a) the concerns about the currently perceived policy threats to nature;

(b) the importance of strong environmental protection alongside other statutory considerations to achieve our strategic aim of supporting sustainable and inclusive economic prosperity that improves the health and wellbeing of our residents; and

(c) that careful streamlining of the delivery of regulatory requirements, rather than their weakening or removal, is the most effective way of ensuring that environmental interests do not cause inappropriate delay or constraint to future growth.

17. Glyphosate Use on all Council Owned Land (Minute 151 - 6 October 2022)

To receive and consider the recommendations of the Cabinet (Minute 239(g)) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Hodgson and referred thereto in accordance with Standing Order 8(2), namely

'This Council will ban the use of the pesticide Glyphosate on all Council owned land from January 1st 2023'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (CSO/22/16) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

'that in line with its adopted Environmental Policy, County Council services should only use glyphosate if absolutely necessary, where practical alternatives are not available'.

18. Istanbul Convention to Prevent and Combat Violence against Women and Girls and Article 59.

Councillor Atkinson to move:

On 1st November the UK's ratification of the Istanbul convention to prevent and combat violence against women and girls and domestic violence finally came into force

However, the Government has reserved article 59 of the treaty opting out of protecting migrant women. By quietly reserving article 59 of the treaty, the Government is still failing some of the most vulnerable women living in Devon: migrant women.

The Government's National Statement of Expectations on Domestic Violence sets out what local areas like Devon need to put in place to

ensure their response to Violence against Women and Girls (VAWG) issues is as collaborative, robust and effective as it can be so that all victims and survivors can get the help they need. The Home Office expects to see local strategies and services that, amongst other things, put the victim at the centre of service delivery.

This Council believes:

- The Devon County Council and UK Government not being obliged to provide VAWG support and protection to migrant women effectively reinforces the two-tier system of support for victims, as some remain discriminated against because of their migration status.
- The Government must immediately remove the reservation to this article and provide equal protection for every woman in need, irrespective of migration status.
- All women, regardless of where they come from, deserve protection against violence.
- That DCC resolves to make available to migrant women in Devon services and support that it provides for other women.

19. Supporting Devon's Children - Ending a Decade of Despair

Councillor Brazil to move:

‘Devon County Council invites the Secretary of State to appoint Commissioners to immediately take over the running of Children's Services in Devon.

For more than a decade, vulnerable children and children with special needs in Devon have been shortchanged by the County Council. Though it has strived, it has singularly failed to improve services, which remain poor.

Children's life chances have been immeasurably harmed by the council's failure to get to grips with reforming the service and moving from the 'INADEQUATE' or 'REQUIRES IMPROVEMENT' ratings of Ofsted, the Government inspectors, to 'GOOD' or, better still 'OUTSTANDING'.

The County Council recognises that it is the children which must now come first and calls on the Secretary of State to immediately appoint Commissioners to take over the running of the county council's Children's Services functions and to do all that is necessary to improve services, raise standards, protect children and young people and achieve at least an Ofsted 'GOOD' rating’.

20. Stop Shortchanging Devon - Save our Services

Councillor Brazil to move:

'While the Conservative Leader of Devon County Council reports that the authority's **financial situation has never been so bleak as it is now**', the Government has slashed the surcharge paid by UK banks from 8% to just 3% and lifted the threshold before the levy is even paid from £25million to £100million.

Yet again, while local government faces huge challenges to support the most vulnerable in our community and maintaining services, it is not increasing support to Councils that is at the forefront of the Conservatives in Government, but helping their banker mates.

The Cost of Chaos budget from short-lived Prime Minister Liz Truss which sparked the mortgage interest rate rise has also helped boost Bank earnings with NatWest, Santander, HSBC and Barclays, among others, reporting their earnings boosted in the last quarter as mortgage rates surged.

And while energy companies, fat on the profits of record increases in the price of gas and electricity, were slapped with a windfall tax, the Conservative Chancellor decided not to do the same for banks.

Devon County Council believes the budget delivered by Chancellor Jeremy Hunt was a very poor deal for the people of Devon and has done nothing to address the real terms cut of 72% in core funding for Devon in the 11 years to 2021/22. Cuts now being considered by the county council are a direct result of the Government's failure to support this authority and the Leader is instructed to write again to the Chancellor and Prime Minister setting out the devastating impacts for Devon and to call, once more, for fair funding for Devon'.

21. Voter Photo ID requirement

Councillor Wrigley to move:

Voter ID equals Voter Suppression

Devon condemns the introduction of the requirement for Voter Photo ID and will write to the Prime Minister and the MPs in Devon to state our objection.

Evidence for significant identity fraud at elections has not come forward. At the last count, a single prosecution was taken forward on the matter.

Despite this, Voter Photo ID will be required for anyone wishing to vote in the May 2023 elections. This will disenfranchise anyone without a UK Driving Licence or Passport in their hands at the time of voting. The range

of additional acceptable IDs is limited and skewed towards the elderly.

District councils are expected to deliver free IDs with no funding or guidance yet issued, despite it being less than six months until the elections.

This move by the Conservative government is likely to disenfranchise many Devon residents, and thus suppress the number of residents who should be able to vote. This is shameful and does not reflect British standards for democracy and respect for our voters.

22. Voter ID

Councillor Bailey to move:

The Government has recently introduced a requirement for photographic identification before electors are to be permitted to vote. This is to take effect for all elections from May 2023.

This Council considers that the introduction of photographic ID for elections is completely unnecessary, as voter fraud is extremely rare, and would have the effect of suppressing voter participation in democratic processes.

The Council considers that the new rules would place a considerable burden on Returning Officers, Presiding Officers, and polling staff who would have to adjudicate on identification issues. Staff at polling stations would inevitably have to deal with angry would-be voters turned away from the polling stations.

The Association of Electoral Administration considers that the timelines for the new rules under the Elections Act 'are optimistic at best, undeliverable at worst'. Details of how voters without photographic ID can apply for a 'Voter Authority Certificate' has not even been published yet.

Motion

The Council therefore agrees;

1 To ask the Local Government Association (LGA) and the County Council Network (CCN) to raise the matter with the Secretary of State for Levelling Up, Housing and Communities expressing its great concern about the proposed use of photographic identification for May 2023 elections.

2 In particular the Council stresses its concern about the procedures to be introduced, which will have a disproportionately detrimental impact on younger voters for whom the procedures will be more challenging than for older voters. The Council asks the LGA and the CCN to press the Government to actively seek to encourage young people to participate in elections, **not** to place obstacles in the way of young would-be voters.

3 Asks the LGA and the CCN to press the Secretary of State not to introduce voter photographic identification for the scheduled 2023 elections. The Council also asks the LGA and the CCN to urge the Secretary of State to engage in debate with the LGA and CCN about the need for voter photographic identification, and should it be concluded that it is necessary that a more acceptable system be considered.

4. The Council agrees to send a copy of its message to the LGA and the CCN to its MPs.

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Committee Terms of Reference

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Access to Information

Any person wishing to inspect any minutes, reports or background papers relating to an item on the agenda should contact the Clerk of the Meeting. To find this, [visit the Committee Page](#) on the website and find the Committee. Under contact information (at the bottom of the page) the Clerks name and contact details will be present. All [agenda's, reports and minutes of any Committee are published on the Website](#)

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Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Filming must be done as unobtrusively as possible without additional lighting; focusing only on those actively participating in the meeting and having regard to the wishes of others present who may not wish to be filmed. Anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance.

Members of the public may also use social media to report on proceedings.

Declarations of Interest for Members of the Council

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

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Induction Loop available



APPEALS COMMITTEE

3 October 2022

Present:-

Councillors J Hawkins (Chair), P Henderson, P Sanders, C Slade and C Whitton

* 40 **Minutes**

RESOLVED that the minutes of the meeting held on 5 September 2022 be signed as a correct record.

* 41 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

* 42 **Budget Monitoring**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Director of Climate Change, Environment and Transport on the financial impact of the Committee's decisions for the current financial year 2022/23.

* 43 **Deferred Appeals**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public are excluded)

The Committee noted the following appeals determined under urgency procedures following Members' route walks arising from the last meeting:-

ST 207 Down St Mary – QEAT, Crediton: Route available, appeal refused.

Agenda Item 9.(a)

2

APPEALS COMMITTEE

3/10/22

* 44 School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Director of Children and Young People's Futures on appeals and written and verbal submissions from appellants who attended as follows:-

ST209	Tiverton – S Molton CC	Appellant and local County Councillor
ST210	Belstone – Okehampton College	Appellant
ST211	Winkleigh – Queen Elizabeth's (Crediton)	Appellant

RESOLVED:-

(a) that the following appeal(s) be allowed:-

ST209 Tiverton – S Molton CC

(b) that the following appeal(s) be refused:-

ST210 Belstone – Okehampton College

ST211 Winkleigh – Queen Elizabeth's (Crediton).

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 9.45 am and finished at 12.30 pm

APPEALS COMMITTEE

7 November 2022

Present:-

Councillors C Slade (Chair), P Henderson, P Sanders and C Whitton

Apologies:-

Councillors J Hawkins

* **45** **Minutes**

RESOLVED that the minutes of the meeting held on 3 October 2022 be signed as a correct record.

* **46** **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs and in accordance with Section 36 of the Freedom of Information Act 2000 by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

* **47** **Budget Monitoring**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Director of Climate Change, Environment and Transport on the financial impact of the Committee's decisions for the current financial year.

* **48** **Deferred Appeals**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public are excluded)

The Committee noted that no appeals had been determined under urgency procedures as no Members' route walks had arisen from the last meeting.

Agenda Item 9.(b)

2

APPEALS COMMITTEE

7/11/22

* 49 School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Director of Children and Young People's Futures on appeals and written and verbal submissions from appellants who attended as follows:-

ST213	Venny Tedburn – Tedburn St Mary PS	Appellant and local County Councillor
ST215	Dartington – South Brent PS	Appellant and local County Councillor
ST216	Dartington – South Brent PS	Appellant and local County Councillor

RESOLVED:-

(a) that the following appeal(s) be allowed:-

ST215 Dartington – South Brent PS

ST216 Dartington – South Brent PS

(b) that the following appeal(s) be refused:-

ST213 Venny Tedburn – Tedburn St Mary PS

(c) that the following appeal be postponed until the next meeting as requested by the appellant:-

ST212 Dartmouth – Dartmouth Academy.

NOTES:

1. Minutes should always be read in association with any Reports for a complete record.
2. If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting

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

The Meeting started at 10.00 am and finished at 12.05 pm

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE

13 October 2022

Present:-

Councillors J Hart (Chair), C Whitton, A Leadbetter, F Letch MBE and A Saywell

* **37** **Minutes**

RESOLVED that the minutes of the meeting held on 21 July 2022 be signed as a correct record.

* **38** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **39** **Deputy Director, Head of Children's Wellbeing and Health**

The Committee noted that recruitment process for the Deputy Director, Head of Children's Wellbeing and Health would commence under Part 2 legislation.

* **40** **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 of Schedule 12A of the Act namely relating to any individual and information likely to reveal the identity of an individual and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

41 **Deputy Director, Head of Children's Wellbeing and Health**

The Committee interviewed two candidates for the post of Deputy Director, Head of Children's Wellbeing and Health with a view to making a recommendation upon an appropriate appointment to the County Council on 8 December 2022.

The process had been undertaken in line with the terms of reference of the Appointments, Remuneration and Chief Officer Conduct Committee, the Pay Policy Statement and the Chief Officer Employment Procedure Rules (set out at Part 6 of the Constitution).

Agenda Item 9.(c)

2

APPOINTMENTS, REMUNERATION AND CHIEF OFFICER CONDUCT COMMITTEE
13/10/22

The interviews having been completed and the suitability of the candidates for the post having been fully discussed and all relevant factors having been considered, such as the high level and breadth of experience and responsibility required for the role and the Committee then being of the view that the press and public need no longer be excluded from the meeting for final determination of its recommendation to the County Council:

It was **RESOLVED** that the press and public be now re-admitted to the meeting.

It was further **MOVED** by Councillor Hart, **SECONDED** by Councillor Letch, and

RESOLVED that the Council be recommended to appoint Aisling Khan to the post of Deputy Director, Head of Children's Wellbeing and Health on grade L3, commencing at the earliest opportunity on a mutually convenient date, in line with the provisions of the Council's existing approved Pay Policy Statement.

NOTES:

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2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 9.30 am and finished at 1.00 pm

PUBLIC RIGHTS OF WAY COMMITTEE

3 November 2022

Present:-

Councillors L Hellyer (Chair), D Barnes, J Bradford, P Henderson and D Sellis

Apologies:-

Councillors R Chesterton, J Brook, I Chubb and D Thomas

Member attending in accordance with Standing Order 25

Councillor J Bailey

* **38** **Minutes**

RESOLVED that the Minutes of the meeting held on 30 June 2022 be signed as a correct record.

* **39** **Standards Committee**

The Chair welcomed Mr R Hodgins who was attending (remotely) in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* **40** **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* **41** **Devon Countryside Access Forum**

The Public Rights of Way and Country Parks Manager reported on the meeting held on 20 October 2022. The meeting had covered ongoing consultations and updates including proposals for the Drake's Trail extension, Natural England proposals on access land restrictions at Dittisham Hill, Network Rail pedestrian access restrictions, group and the Rights of Way Improvement Plan. The draft minutes would be circulated when available.

* **42** **Parish Review: Definitive Map Review - Parish of Ottery St Mary - Part 1**

(Councillor J Bailey attended in accordance with Standing Order 25 and spoke in support of the officer recommendations).

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PUBLIC RIGHTS OF WAY COMMITTEE

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The Committee considered the Report of the Director of Climate Change, Environment and Transport (CET/22/63) on five proposals arising from the Definitive Map Review in the parish of Ottery St Mary. Six proposals arose from the consultation, but one required additional research/consultation and would be presented at a future meeting.

It was **MOVED** by Councillor L Hellyer, **SECONDED** by Councillors J Bradford (for recommendations 1, 2, 3 and 5) and D Sellis (for recommendation 4), and

RESOLVED

(a) that a Modification Order be made to record a Footpath in respect of Proposal 3; and

(b) that no Modification Order be made in respect of Proposals 1, 2, 4 and 5 detailed in the Report.

* 43 **Public Path Orders**

The Committee noted the Report of the Director of Climate Change, Environment and Transport (CET/22/64) on the Public Path Orders made and confirmed under delegated powers.

* 44 **Rights of Way Improvement Plan and Highway Infrastructure Asset Management Plan**

The Committee noted the Report of the Director of Climate Change, Environment and Transport (CET/22/65) on arrangements to review and update two key plans that set out priorities and actions pertinent to management, maintenance, and development of the public rights of way network.

Members' discussion points with the Officers included the role of Members in promoting liaison between Local Planning Authorities, Parish and Town Councils (and other statutory consultees) in relation to public rights of ways in order to help safeguard the network and the value of regular training and updates for Members.

* 45 **Dates of Future Meetings**

9 March, 13 July and 23 November and 7 March 2024

Details available here: [Browse meetings - Public Rights of Way Committee - Democracy in Devon](#)

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*

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PUBLIC RIGHTS OF WAY COMMITTEE
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2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.15 pm and finished at 2.55 pm

STANDARDS COMMITTEE (held virtually via Microsoft Teams)

17 November 2022

Present:-

Councillors M Asvachin, J Bailey, I Hall (Chair), P Maskell, and L Samuel, C Slade and I Hipkin, A Mayes, R Saltmarsh

Apologies:-

Councillors A Connett and R Hodgins

* 25 Minutes

It was **MOVED** by Councillor Slade **SECONDED** by Anne Mayes and

RESOLVED that the minutes of the meeting held on 7 July be agreed as a correct record.

* 26 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 27 Ethical Governance Framework: Monitoring

The Committee received the report of the Monitoring Officer ([CSO/22/17](#)) summarising feedback from Co-opted Members of this Committee on their attendance at meetings of the Council, Cabinet and Committees since the previous meeting monitoring compliance by Members and Officers with the Council's ethical governance framework.

There was positive feedback in the forms with the scoring extremely high for those meetings attended including for Members' Code of Conduct, punctuality and attendance, and appearance and presentation.

Other pleasing observations were that the meeting was well chaired, and the presentation slides were generally excellent and professional.

For another meeting there was a comment that it was difficult to ascertain whether everybody was there due to difficulties in being admitted to a meeting.

Members discussed the report and observations including:

- Logging onto meetings early to allow enough time to be able to access the meeting
- Problems with technology and software and sometimes difficulty in being able to see who was attending a meeting

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- Suggesting using introductions at the start of a meeting to make it clear to all attending and observing who was present

The Report was noted.

28 **Ministerial response - Local Government Disqualification Act**

The Committee considered a letter by the Minister of State at the Department for Levelling Up, Housing and Communities, Paul Scully MP, in response to a letter from the Chair of the Standards Committee about concerns discussed at the last meeting (minute *22 of the 7 July Standards Committee minutes) about the disqualification criteria for the new Local Government (Disqualification) Act 2022. These concerns were that the provisions did not extend to Police & Crime Commissioners (PCCs) or Members of Parliament (MPs).

In response the Minister said standards and conduct for MPs and PCCs were governed under separate regimes with their own mechanisms to disqualify or sanction against unacceptable behaviour. For example, MPs could be recalled under certain circumstances if at least 10% of the constituency electorate signed a petition and that the disqualification rules for PCCs were generally stricter than for Councillors and Mayors.

The Committee noted the letter.

29 **Standards in Public Life: Update on Councillors safety, work on reducing harassment, abuse and intimidation**

The Committee considered the Report of the Director of Legal and Democratic Services (CSO/22/18) about the work and steps taken around Councillors' safety and reducing harassment, abuse and intimidation.

Following the review by the Committee on Standards in Public Life, the Council had amended the Members Code of Conduct to further help Members being able to undertake their role without intimidation, abuse, bullying or threatening behaviour from anyone, including the general public.

Guidance from the Local Government Association about handling intimidation had been published on the Members Sharepoint Site and a link was provided in the Report. Members were also given the choice of whether to publish their home addresses on their profile pages on the website and the Member Development Steering Group had recommended a question on personal safety be added to the next Member Wellbeing Survey shortly to be circulated to all Councillors. Future briefing or training events around the issues would be promoted to Members through the Member Bulletins and on the Member Sharepoint Site.

The Committee considered the Report and steps taken and were content with these and future support offered.

30 Ethical Governance Survey 2022 - Outcomes and Results

The Committee considered the Report of the Director of Legal and Democratic Services (CSO/22/19) on the Ethical Governance Survey, the responses, and the findings from this.

The Council last tested its approach to ethical governance in 2019. Both Members and Officers had been asked a variety of different questions regarding ethical governance. This time there were a total of 46 responses to the survey of which 32 Councillors and 14 were Officers with an overall response rate of about 60 to 65%.

There was various commentary on the responses, with both positive and some disappointing aspects. Asked about engagement with democracy and the local community and nearly 74% of respondents felt the Council made information easily available about matters considered by the Cabinet and other committees.

In contrast a more negative response to a question about whether officers were trusted by the local community and only 32.6% answered yes. Responses regarding communication of the Council's value to local residents and familiarity of annual statements were also highlighted as something for consideration.

Attention was also drawn to the comments about maintaining or improving standards of conduct within the Council which included issues such accessibility for people with a range of disabilities, language, and member training.

Members discussed the Report and views expressed including:

- Whether more work should be done around engagement with democracy and the local community
- The culture within the Council about challenging decisions and differing responses in applying this to Members and Officers
- More understanding about who was giving responses i.e. was it Officers or Members with a certain view
- Further Code of Conduct sessions were being planned
- The importance of Member training, attendance at sessions was patchy with room for improvement
- Having a good understanding of the Code of Conduct was felt to be essential

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Officers were thanked for their efforts on this, and it was agreed that more work should be done on the points raised above. It was also agreed another survey should take place in around 12 months.

The Report was noted.

* 31 Local Determination of Complaints

The Director of Legal and Democratic Services gave a verbal update on recent complaints received about any alleged breach of the Members Code of Conduct.

There had been only one new complaint since the last Committee meeting concerning procedural issues, which had been rejected due to it not falling within the scope of the complaints process.

There was one complaint which was ongoing with a draft report expected shortly, following comments from both subject Member and Independent Persons, in line with the processes.

NOTES:

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

The Meeting started at 2.15 pm and finished at 2.39 pm

INVESTMENT AND PENSION FUND COMMITTEE

25 November 2022

Present:-

Devon County Council

Councillors J Morrish (Chair), P Bullivant (Vice-Chair), Y Atkinson, H Gent, and M Hartnell

District and Unitary Authorities

Councillors J O'Dwyer, A Lugger and J Pearce,

Other Employer representative

Councillor R Bloxham

Union and Retired Members

L Parker-Delaz-Ajete and M Daniell and R Franceschini.

Apologies:-

Councillor G Gribble

* 87

Minutes

RESOLVED that the Minutes of the Meeting held on 4 October 2022 be signed as a correct record.

* 88

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 89

Devon Pension Board

The Committee noted the Minutes of the Meeting of the Board held on 18 October 2022.

* 90

Brunel Oversight Board

The Committee noted the Minutes of the Meeting of the Board held on 8 September 2022

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INVESTMENT AND PENSION FUND COMMITTEE

25/11/22

* 91 **Audit Report on the Pension Fund Statement of Accounts 2021/22**

The Committee noted the Report of the Director of Finance and Public Value (DF/22/104) on the external audit which now had been substantially completed by Grant Thornton, subject to a small number of remaining items (draft Audit Findings Report attached at Appendix 1 to the report).

The draft Audit Findings included an evaluation of the Pension Fund's internal controls environment, including its IT systems and controls and substantive testing on significant transactions and material account balances, including the procedures outlined in the report in relation to the key audit risks.

Subject to a small number of outstanding matters, Grant Thornton anticipated issuing a positive unmodified and unqualified audit opinion.

Members' questions and discussion points with a representative of Grant Thornton and the Head of Investments (Devon County Council) included:

- highlighted adjusted misstatements, misclassification in Appendix C of the report and disclosure changes, reflected in the version of the Statement of Accounts within the Pension Fund Annual Report which Officers had noted for consideration in future;
- the unadjusted misstatements highlighted in the report related to valuations of fund assets and adjusted for cashflows, where March valuations were not available and based on the best available evidence at the time and differences were not material and no adjustment to the statement of accounts had been proposed;
- the additional costs for Grant Thornton and fees for the County Council as a result of remote audit working arrangements and the Grant Thornton remained open to remote and/or to in-person audit inspections;
- the current accounting arrangements as part of the County Council's Statement of Accounts and any proposed '*de-coupling*' would require primary legislation and may be included in expected government consultation in relation to governance; and
- a request for more information in relation to a Government consultation on Pension Scheme investment in infrastructure assets.

The Chair thanked Julie Masci, Grant Thornton for their attendance and response to Members' questions.

* 92 **Investment Management Report**

The Committee noted the Report of the Director of Finance and Public Value (DF/22/78) on the Fund value and asset allocation, performance against the benchmark, funding level, budget forecast 2022/23, cash management, and voting and engagement activity.

The Fund value at 30 September 2022 stood at £5,024.8 million, a decrease of around £120 million over the quarter and £390m since 31st March 2022.

Members' discussion points with Officers included:

- new tabular information which showed the impact of each asset class on the total fund valuation and investment return over the 6 months of the financial year to date;
- the impact of changing interest rates on Bond values since the recent 'fiscal event' and future prospects; and
- the longer-term positive returns of the Fund despite the short-term difficulties over the last few months attributable or linked to geo-political events and fiscal events.

Members noted the Investment Management Report and continued compliance with the 2022-23 Treasury Management Strategy.

* 93

Actuarial Valuation 2022

The Committee considered the Report of the Director of Finance and Public Value (DF/22/106) on the actuarial valuation of the Devon Pension Fund conducted by a qualified independent actuary. The purpose of the valuation was to establish the Fund's liabilities in relation to its assets and determine the current funding level, and to set contribution rates for the Fund's employers for the next three years.

The Actuary had met with officers in September to confirm the assumptions to be used for the valuation. The Actuary had now provided the Fund level results from the valuation, as summarised in the Report.

The Report outlined the factors taken into consideration in relation to the inter-valuation experience and revised assumptions. The report also outlined that the results for individual employers would vary depending on their circumstances.

Officers would work with the fund Actuary to revise the Funding Strategy Statement, based on the approach taken to the Valuation and a revised Funding Strategy Statement would then be brought back to the Committee for approval, following consultation with employers and the Devon Pension Board.

Members' questions and discussion points with the Officers included:

- the overall results with a funding level for the whole fund at 98% and progress towards the long term objective of 100% and the possible benefits in aiming for a higher solvency rate and reductions in the deficit recovery period for those employers with a deficit;

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25/11/22

- the impact on Employer contributions - some fund employers will see their overall contribution rates, including deficit payments, reduce, while others would see increases which would place extra pressures on them;
- the average primary rate for employers would increase from 16.9% to 19.2% of pensionable pay but the improved funding level would result in lower deficit contributions being required, which would offset the increased primary rate;
- the investment return going forward had been assumed to be 4.7%, which compared with an assumption of 5.1% at the last valuation; and
- the need for a prudent approach with assumptions which were comparable with other Local Pension Fund Scheme Pension Funds and with regard to maintaining a stable contribution rate as possible.

It was **MOVED** by Councillor R Bloxham, **SECONDED** by R Franceschini and

RESOLVED

(a) that the process carried out by the Fund Actuary as a basis for revision of the Funding Strategy Statement be approved;

(b) that the proposed policy for allowing discounts to employers who pay their deficit contributions in advance, as detailed in the Report, be approved.

(N.B. In accordance with Standing Order 32(4) Councillor O' Dwyer requested that his abstention from the vote be recorded)

* 94

Dates of Future Meetings

3 March 2023, 16 June, 15 September, 24 November, and 1 March 2024 Up to date information available at: [Browse meetings - Investment and Pension Fund Committee - Democracy in Devon](#)

* 95

Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act, information relating to the financial or business affairs of an individual other than the County Council and, in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

* 96

Brunel Pension Partnership - Climate Change Policy

(An item taken under Section 100A (4) of the Local Government Act 1972 during which the press and public were excluded).

The Committee considered the Report of the Director of Finance and Public Value (DF/22/107) on the issues that Brunel have looked to address through a review of their climate change policy. Brunel worked in partnership with its client funds, it would be expected that Brunel's policy should be broadly representative of and consistent with the policies of each of the partner funds.

Members discussion points with the Officers included:

- whether the objective of investing 5% of the fund in renewable energy or climate solution infrastructure by 2025 related to investment in the UK or globally (the Officers agreed that they would raise this point with Brunel);
- the scope for investments locally as proposed in a portfolio developed by Brunel for the Cornwall Pension Fund on which a paper would be brought to this Committee in the future and as part of the Government's levelling up agenda; and
- that climate change policy was consistent across the pooled fund in the Brunel Partnership and that Brunel was at the forefront of climate change policy development nationally.

It was **MOVED** by Councillor M Hartnell and **SECONDED** by Councillor Y Atkinson and

RESOLVED

(a) that the proposed development of Brunel's Climate Change Policy, as set out in the report be approved; and

(b) that the comments referred to above be relayed to Brunel.

NOTES:

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

The Meeting started at 10.30 am and finished at 12.05 pm

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CHILDREN'S SCRUTINY COMMITTEE

15 November 2022

Present:-

Councillors R Hannaford (Chair), P Sanders (Vice-Chair), S Aves, J Bradford, J Brazil, P Bullivant and F Letch MBE and Ms C Platt (Church of England Diocesan representative)

Councillors C Channon, L Samuel and M Squires (remote)

Apologies:-

Councillors G Gribble, J Hawkins, L Hellyer and J Wilton-Love

Members attending in accordance with Standing Order 25

Councillors A Leadbetter and A Saywell (part)

* 61

Minutes

RESOLVED that the Minutes of the meeting held on 6 September 2022 be signed as a correct record.

* 62

Items Requiring Urgent Attention

Children's Services Leadership Arrangements

The Chief Executive was in attendance and reported on a change in the Children's Services leadership team following Melissa Caslake, the Director of Children and Young People's Futures having left the Council. Changes in roles in the short-term were as follows:

- Lisa Bursill - Acting Director of Children and Young People's Future
- Janet Fraser - Head of Children's Social Care
- New starter, Aisling Khan - Head of Children's Health and Wellbeing.

Members questioned how the Phase 1 'reshape' would be configured and the Acting Director agreed to provide details for Members on this after the meeting.

* 63

Announcements

The Chair made the following announcements:

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- (a) Welcome to Mrs A Mayes who was attending the meeting in her capacity as Co-opted member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.
- (b) Melanie John-Ross had been appointed as the Committee's Independent Special Advisor. Melanie's most recent experience was as the Director of Children's Services in Barnsley.
- (c) Welcome to Aisling Khan, taking over the role of Head of Children's Health and Wellbeing, who was currently with the Council of the Isles of Scilly and would be working part-time for Devon County Council.

* 64 **Public Participation**

There were no oral representations from members of the public.

* 65 **Scrutiny Committee Work Programme**

The Committee were updated as to the Work Programme and requested the following items be added to it:

- The areas of development/investigation from the SEND Task Group
- Update on Child Friendly Devon
- Possible CSOG in December.

* 66 **In-year Budget Position**

The Chief Executive and the Cabinet Member for Children's Services and Schools both attended to speak to the report, stating that the financial situation was the worse the Council had faced for many years. There was however an enormous amount of work going on in the Service to ensure that real improvements would be made.

The Committee then considered the Report of the Chief Officer for Children's Services, which set out the key budget issues for the Service identifying risks and actions to mitigate.

At month 2, it had been reported that the Council faced a financial pressure of £30.5 million with a further risk linked to inflation volatility of around £10 million. At month 6, the Council was facing a comparable in-year deficit of £33 million.

A cross-organisational Financial Sustainability Programme had been set up to identify and deliver savings to address the in-year overspend and identify ways to stabilise financial sustainability. The impact of this work had identified £26.5 million of further savings and additional income that revised the total forecast overspend down to £6.3 million.

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The combined pressures on the service of demand in SEND, the increase in high-cost placements for children in care and school transport costs were significant but consistent with the national context.

A priority for Children's Services continued to be to ensure that vulnerable children were supported and protected and to create a future in a Child Friendly Devon where all children and young people were safe, loved and thrived and had equal access to opportunities to meet their full potential.

Members' questions and discussion points included:

- The Government's Autumn Statement would be announced on Thursday of this week and although not known it was assumed that more spending cuts would be announced.
- The majority of the £26.5 million identified as further savings were one-off savings by delaying work, e.g. the Adult Care First software system was due to be replaced: this would now be delayed.
- Regular reviews of high cost placements had been strengthened to ensure correct charging levels; and providers' rates more robustly challenged. Case studies of placements would be provided to a future meeting.
- Devon was hindered by high property prices in the County.
- A placement sufficiency strategy was currently being worked on, informed by the review of high cost placements; and also bids to the Department for Education for capital funding for developing in-house residential works.
- The recruitment drive for foster carers continued, following the interruption from the pandemic, supported by the Mockingbird programme, however, the fostering team remained under-funded in relation to recruitment.
- Exeter Chiefs had agreed to support Devon with its foster caring campaign.
- The importance of early intervention and for local schools to become more inclusive thus saving transport costs.
- Agency social workers received the same induction, training and performance management as permanent staff, tracked through auditing.
- Concern that Exeter University were not offering training for social workers, and the Cabinet Member agreed to follow this up with the Vice-Chancellor.
- Concern that the Memorandum of Understanding across the South West on agency pay rates was not effective. The Chief Executive asked the Acting Director to follow this up in regional ADCS meetings.
- In-house school transport was being considered and four people carriers were currently being trialled for special needs transport with early indications showing that costs were being saved. Use of the high

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15/11/22

cost social care placement transport and NHS transport was also being considered.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Bullivant and

RESOLVED that the Committee:

- (a) Places on record its continuing concern about the significant overspend in Children's Services, the SEND Dedicated Schools Grant overspend in Month 6 and the rate of contract relinquishing and inflation affecting the School Transport budget.
- (b) Re-states its concern from the Committee meeting on 18 January 2022 relating to the realism of achieving savings considering the cost of living pressures, and looks forward to the anticipated report to Cabinet in December regarding Children's Centres and the Government's funding intentions on Thursday 17 November.
- (c) Welcomes the hard work of officers to identify and realise savings.
- (d) Welcomes the opportunity to be sighted on case studies of children in placements at a future meeting.
- (e) Welcomes the work of officers to improve the universal offer within schools to improve inclusion.
- (f) Supports the Council's work on in-house provision in transport and piloting of placements of children in care to reduce the overspends in these areas and improve market sufficiency.

* 67

Children's Social Care Performance

The Committee received the Report of the Director of Children and Young People's Futures which provided a performance update on Children's Social Care.

The Report outlined the following key points:

- Overall the rate of referrals over the last 12 months in Devon was now below the national average, but higher than statistical neighbours.
- Assessment timeliness had dropped to 85% over the summer months.
- The rate of children per 10,000 subject to a child protection plan had reduced to 37 in August, lower than the national average, but higher than statistical neighbours.
- The rate of children in care per 10,000 was stable and lower than the national and statistical neighbour averages.

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- Care experienced young people in suitable accommodation had improved in August.
- The percentage of agency social workers increased in August as a direct result of filling vacant posts with agency workers which continued to contribute to reducing caseloads.

Members' questions and discussion points with Officers, included:

- Timeliness of health checks for children in care had risen since the report and was currently 79%.
- Repeat referrals was an area that would continue to be scrutinised.
- A review of the data provided to include explanatory narrative and a traffic light system would be of benefit to Members.
- Officers shared Members' concern at the low percentage of ICPCs completed within 15 days of S47 (53%) compared to statistical neighbours (89%) and were working hard to remedy this. Officers reported that children who went over the 15 days were known to them and seen regularly. October's performance was showing a continuing improvement at 72%.
- Officers assured Members that contingency plans were in place for safeguarding children who fell outside of the ICPCs completed within 15 days.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Bullivant and

RESOLVED that the Committee supports the work of the Cabinet Member and Senior Leaders to make progress across Children's Social Care and hold partners to account for their own performance; and anticipates further updates from Officers on the ongoing work to improve the Committee's particular areas of concern around Initial Child Protection Case Conferences and Care Leavers not in Education, Employment and Training.

* 68

SEND Task Group

The Committee considered the Special Education Needs and Disabilities (SEND) Task Group report which looked at how children and young people with SEND were supported by the Council; how the Council worked with families, partners, schools and colleges; and the impact of the rise in demand on staff wellbeing and morale.

The Task Group had heard from a range of witnesses including the Council's own staff, young people, parents, carers and school leaders. The Task Group recognised the significant amount of pressure placed on the system and placed a special thank you to all of those working in Devon to improve the lives of children and young people with SEND.

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The report's recommendations were based on evidence gathered from witnesses and the Task Group wished to place on record its sincere thanks to the many witnesses who gave up their time to talk to the task group openly and honestly to allow the Task Group to fully understand how the system functioned.

The Committee thanked the Task Group for its exhaustive and thorough report.

It was **MOVED** by Councillor Aves, **SECONDED** by Councillor Letch and

RESOLVED that the Task Group report and recommendations be endorsed and commended to the Cabinet.

* 69 **Children's Standing Overview Group**

The Committee received the report from the Children's Scrutiny Committee Standing Overview Group held on 18 October 2022.

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

The Meeting started at 10.30 am and finished at 1.20 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

22 November 2022

Present:-

Councillors S Randall Johnson (Chair), C Whitton (Vice-Chair), T Adams, D Cox, P Crabb, L Hellyer, P Maskell, R Peart, R Scott and J Yabsley

Apologies:-

Councillors J Bailey, R Chesterton, S Khan and D Sellis

Members attending in accordance with Standing Order 25
Councillor J McInnes

* 70 **Standards Committee**

The Chair welcomed Mrs R Saltmarsh MBE who was attending (remotely) in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 71 **Minutes**

RESOLVED that the Minutes of the meeting held on 28 September 2022 be signed as a correct record.

* 72 **Items Requiring Urgent Attention**

No item was raised as a matter of urgency.

* 73 **Public Participation**

There were no oral representations from members of the public

* 74 **In-Year Briefing: Service Delivery for Public Health Devon**

(Councillor J McInnes attended in accordance with Standing Order 25 and spoke with the consent of the Committee on the One Devon's Integrated Care System draft strategy and objectives)

The Committee considered the Report of the Director of Public Health, Communities and Prosperity on the delivery of public health service during 2022-23 and the current position. This covered work in addressing the demands presented by the pandemic, the delivery of the Council's strategic objectives across public health and health improvement via commissioned services. The Report also referred to additional national funding to support

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delivery of the national drugs strategy; the Public Health Nursing Service; Public Mental Health services, inclusion health groups including a health needs assessment; and delivery of the budget to date.

Members' questions and discussion points with the Director covered:

- support for the zero rate of suicides aspiration within strategic objectives whilst acknowledging the difficulties in achieving this and the need to reflect this in associated actions plans;
- development by the Public Health Intelligence Team in producing a new Cost-of-Living Dashboard and the need to include the impact of poor housing and increasing costs; and the importance of effective collaboration with local housing authorities;
- the increasing proportion of the population impacted by the cost of living crises and comparisons with previous years, which should also be reflected in the Dashboard;
- the financial support from Government (cosy homes scheme) for replacement of domestic boilers (and the Director undertook to get more information on this);
- the high vacancy rates within the PH Nursing and PH Health Visitors services and which would be addressed by a service improvement plan and the complimentary signals during a recent CQC inspection on which the formal report was awaited;
- the challenges faced by PH and the critical ring-faced PH Grant; the primary challenges included premature deaths/health inequalities, effective working of the Integrated Care Boards and Integrated Care Partnerships in Devon, support for vulnerable communities on which there had been considerable work with local communities and the Voluntary sector and the need to develop longer term contractual arrangements with these groups; and the need to support their work;
- the valuable work carried out by Heart Valve Voice; and
- the value of primary prevention (mainly PH services) and secondary prevention (primarily NHS/Social Care) and the importance of early evidence-based intervention.

The Chair thanked the Director and his staff for their work and hoped that the PH grant would be sufficient and notified within a reasonable timeframe to assist with planning for 2023/24.

* 75

NHS Devon Financial Overview

The Committee received the Report of NHS Devon on its financial overview which covered how the NHS was funded, the role of NHS England responsible for making allocations to Integrated Care Boards using an established resource allocation methodology based on formula-based allocations that reflected the demand for health services based on the relative needs of populations and the major drivers of consumption of health resources: age, sex and deprivation. The Report also covered the financial

regime, the current financial position and historic challenges, the 2022/23 operational plan, NHS oversight and financial challenges across the system

Members' observations, comments and discussion points with the Chief Finance Officer, NHS Devon included:

- further explanation of the tables/figures within the Report and the difficulties and challenges in achieving the 'savings and efficiencies' detailed in Figure 5 of the Report and noting the relatively large unidentified savings figure;
- explanation of why an £18m deficit for 2023 was forecasted despite the planned efficiencies and savings;
- the financial impact of agency staff/clinicians and the overriding need to maintain clinical safety, new procurement arrangements across the ICB partners and the need for an ongoing and realistic Financial Improvement Programme;
- the funding for the pandemic would be withdrawn for next year but the ongoing clinical/financial impact of C-19 would continue;
- the continuing staffing issues faced by the Nightingale hospital in Exeter and across the system;
- the continuing pressures over the next 2 – 5 years in relation to pay inflation, and supply chain issues resulting in higher costs across the system;
- the preference for local solutions where wastage was identified and acted upon by staff and local managers working in their own settings;
- housing for key workers was a significant issue across Devon and all health and social care partners and the useful collaboration in this area whilst noting the serious limitations within a national context and policy; and
- the need to look at new ways of working and support through, for example, digital and new technologies to promote independence.

The Chair thanked the Officer for his informative report clearly setting out the financial position and challenges and candid response to Members' questions.

* 76

One Devon Partnership - Integrated Care Strategy Development

(Councillor J McInnes attended in accordance with Standing Order 25 and spoke to this item with the consent of the Committee and referred to One Devon' strategic objectives and goals and need for focus and transparency) .

The Committee considered the Report of NHS Devon on progress with the Devon Integrated Care Strategy which was being developed by the One Devon Partnership. The Report set out the needs analysis and outcomes from public engagement which had informed the proposed strategic goals of the Strategy.

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The Integrated Care Strategy would set out the assessed needs of the population and the priority strategic goals, focused on the four core purposes of ICSs:

- improving outcomes in population health and healthcare;
- tackling inequalities in outcomes, experience and access;
- enhancing productivity and value for money;
- helping the NHS support broader social and economic development.

Within this, consideration should also be given to:

- personalised care;
- disparities in health and social care;
- population health and prevention;
- health protection
- babies, children, young people, their families and healthy ageing;
- workforce;
- research and innovation;
- 'health-related' services;
- data and information sharing.

The report also covered the Devon Plan, Devon's Health and Wellbeing challenges, engagement and review processes, proposed strategic goals and the next steps.

Members' observations, comments and discussion points with the Deputy Chief Executive NHS Devon/ICS included:

- the draft strategy following the engagement exercise would be published in December 2023 and reported to this Committee at its next meeting;
- agreement on the aspiration for a zero rate level of suicide noting the difficulties, including accurate recording;
- clear targets for gradings of goals and timings with stretch targets would be set in due course and remained a work in progress;
- the need to strengthen the aspiration for more devolved decision making and more emphasis on prevention strategies by health and partners;
- confirmation of the appointment of Councillor McInnes as Chair of the Integrated Care Partnership and Dr Sarah Wollaston as the continuing Chair of the Integrated Care System Board;
- the critical work of unpaid carers and their wider economic value which should also be referred to in the Strategy and on which more research was required;
- the need for further reference in the Strategy to the role of community groups and voluntary sector funding and to the key role and support for non-paid carers; and

- the important role and development and methodology for health and social care training/education (including dental and pharmacy) which should also be reflected in the Strategy.

The Chair thanked the Officer for his report and response to Members' questions.

* 77

In - Year Briefing: Adult Social Care Finance and Performance

(Councillor J McInnes attended in accordance with Standing Order 25 and spoke to this item with the consent of the Committee and referred to the success of the Direct Payments scheme and review of the work of the Day Centres).

The Committee considered Report of the Director of Integrated Adult Social Care, Devon County Council (ACH/22/153) on a mid-year update on finance and performance of Adult Care and Health. The report covered the budget at month 6 which showed an overspend of £2.771m or 0.86% of net budgets; savings achieved at month 6, budget risks for the remainder of the year, increasing demand for care, availability and cost of care. .

Members' discussion points and comments with the Director of Integrated Adult Social Care; and Head of Adult Care Operations and Health, included:

- the work to promote and support Personal Assistants in their localities via their own networks and support groups;
- explanation of the increase in demand (including for example in relation to care placements for older people requiring support who were not previously included in the system) over and above the numbers previously forecasted;
- additional Government financial support recently announced to reduce the delay in discharge rates which would be paid in two tranches and subject to detailed reporting requirements and conditions,
- the continuing work within the ICP to mitigate against budget pressures;
- review of day centre services and the need to provide a modern offer to meet individual needs, improve access and promote independence;
- the challenges presented by increasing demand, inflation pressures and work force issues;
- the high threshold for Save to Invest initiatives with both cashable and non-cash benefits/advantages and where demonstrable savings could be achieved; and a successful example was within learning disability support services for young adults which had resulted in reduced dependence on commissioned services; and
- a recent audit of the Direct Payments system had been favourable; the payments allowed for individual support arrangements which were often not available through commissioned services and represented best practice and regular checks were made and any unused payments were retrieved.

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The Chair thanked the Officers for their report on progress towards delivering performance targets within the budget allocated to it and the ongoing national and local challenges.

* 78 **The State of Adult Social Care: (i) The Independent Provider Workforce, and (ii) Housing, Health and Care**

The Committee considered the Report of the Director of Integrated Adult Social Care, Devon County Council (ACH/22/152) on Housing, Health and Care and adult social care which each had been the subject of recent masterclasses. The report provided the opportunity for Members to develop their understanding of the challenges and approaches to further inform and support the scrutiny role.

The paper detailed the challenges that all local authorities and all adult social care services were facing. Consecutive Annual Reports had detailed these challenges, how they impacted in Devon and how the County Council compared with others locally, regionally, nationally and those deemed to be 'comparator authorities'. The next Annual Report for 2022 would be sent to Committee in January 2023.

The Report also covered the independent provider workforce and the current situation and challenges, local initiatives, programmes to promote independence and international recruitment.

The report also outlined the current housing challenges and collective work across Devon and opportunities to influence change with local housing authorities.

Members' discussion points and comments with the Director of Integrated Adult Social Care; and Head of Adult Care Operations and Health, and the Chief Executive (Mid Devon District Council, Lead, Devon Housing Task Force), included:

- Local housing needs and the challenges and limits at the local level to improve local supply with reduction on private sector rentals, second home issues, ability for LAs to maintain and build new housing stock (with caps on social rents for example), local authorities' (housing) duty to accommodate the homeless and associated operational issues, wider planning issues and demand pressures within planning departments;
- new housing initiatives with Mid Devon District Council to develop new social housing stock in accordance with the Local Plan; and
- the role of the County Council in relation to housing with a lead from its Prosperity team looking at Best Value for example.

The Chair thanked the officers for their informative reports and response to Members' questions.

* 79 **Health and Care General Update**

The Committee considered the Joint Report from Devon County Council and NHS Devon (ACH/22/154) on updates and general information including responding to specific actions, requests or discussions during the previous Health and Adult Care Scrutiny Committee meeting.

The Report covered celebrating local success and achievements, Devon County Council's finance challenge; the Peninsular Acute Sustainability Programme; an Independent Living Centre Smart Home event; a World-first national genetic testing service launched at the Royal Devon and Exeter Hospital; successful interview days for healthcare support workers and support staff at the Royal Devon and Exeter Hospital; Community nurse graduation from the first new bespoke district nursing course held in Devon for 15 years; the COVID-19 autumn booster vaccination programme; a Cost of Living Summit hosted by the One Devon Partnership; the Wellbeing hub which had marked its first anniversary; updates on the North Devon Link Service, the Teignmouth wellbeing centre; and the Integrated urgent care service across Devon.

Members' discussion points and comments with the Director of Integrated Adult Social Care; and Head of Adult Care Operations and Health, included: •

- the new genetic testing service at the Royal Devon which was commended by the Chair and asked whether services included rare diseases;
- updates on the North Devon Link services in Holsworthy and Bideford providing community and more specialised mental health support and a request for further information from the local member for Bideford (East); and
- update on the Teignmouth and Wellbeing Centre and progress of the purchase of the site (on which more information should be sought by local Members from the District Council and local South Devon NHS Trust).

The Chair and Members commended and congratulated the health and social care staff and their colleagues for the success and achievements as detailed in the Report.

* 80 **Scrutiny Committee Work Programme**

The Committee noted the current Work Programme subject to inclusion of topics arising from this meeting.

This included (a) an update the one Devon Partnership – Integrated Care Strategy Development; and (b) the Adult and Social Care Annual Report for 2022.

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[NB: The Scrutiny Work Programme was available on the Council's website at: [Scrutiny Work Programme - Democracy in Devon](#)]

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

The Meeting started at 10.30 am and finished at 1.50 pm

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

24 November 2022

Present:-

Councillors A Dewhirst (Chair), C Slade (Vice-Chair), M Asvachin, Y Atkinson, J Berry, J Brook, P Bullivant, R Chesterton, J Hodgson, I Roome and J Trail BEM

Apologies:-

Councillors P Crabb, M Hartnell, R Radford and J Wilton-Love

Members attending in accordance with Standing Order 25

Councillors R Croad (remote), A Davis (remote), R Gilbert (remote) and S Hughes.

* 74

Minutes

RESOLVED that the Minutes of the meeting held on 22 September 2022 be signed as a correct record.

* 75

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 76

Public Participation

There were no oral representations from Members of the Public.

* 77

COVID-19 Update

The Director of Public Health updated the Committee on COVID -19.

Here referred to:

- the stable position with approximately 1/50 of the population infected, and 95 patients in Devon hospitals of which 2 were in a high dependency unit;
- 8/9 outbreaks in residential/nursing homes which were being supported and
- the vaccination programme uptake in Devon's residential and nursing homes by residents and staff and partners were prepared for the impact of Winter with regard to C-19 and flu.

Details were included on the County Council's live demonstration:

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[Coronavirus \(COVID-19\) dashboard - Coronavirus \(COVID-19\) \(devon.gov.uk\)](#)

The information related to all of Devon (including Torbay and Plymouth).

Members' questions and discussion points with the Director related to the position in China and their different approach with zero tolerance, tight lockdowns and quarantine requirements and a limited vaccination programme.

The Director undertook to provide further information on the vaccination programme in regard to children and young people.

* 78 **Scrutiny Work Programme**

The Head of Scrutiny updated the Committee on the work programme:

- a Cost -of-Living Spotlight was being arranged with a data review on 28 November and Spotlight Review on 19 December and other members across the two other Scrutiny Committees would be invited (Councillor Hodgson agreed to serve on the Review);
- a Spotlight Review was being arranged in regard to a new system to replace the FINEST finance system; and
- visits to the Material Laboratory was being arranged on a date to be confirmed (Councillors Dewhirst, Chesterton Hodgson and Roome agreed to be included in a visit) and other Scrutiny members will be invited.

Members referred to a recent visit to County Council's My Devon Customer Centre and commended the work of the multi - skilled staff and management.

The Work programme was available at [Scrutiny Work Programme - Democracy in Devon](#)

* 79 **In-year Service Briefings**

(a) Corporate Services

The Interim Chief Executive reported the in-year position and the very challenging budget position for the next financial year and the work of the Senior Leadership Team with the Cabinet in developing a Financial Sustainability Programme to mitigate the impact on corporate and front line services and staff with collaboration across all services and disciplines. Late notification by Government of the settlement now expected in early January also created a very difficult timeline for the budget setting process for 2023/24.

The Director of Finance and Public Value reported on the underlying budget pressures in the current and next financial years relating to inflationary, work

force and demand lead service pressures and management actions to minimise projected overspends, particularly in adult and children's services to achieve a balanced budget.

Additional information on the latest position for 2023/24 would be circulated to all Members when available and prior to the Scrutiny round of budget meetings in January 2023.

The Director of Legal and Democratic Services also reported on budgetary pressures relating to legal services in child care and in particular the high external agency costs; and issues relating to recruitment and retention of in-house solicitors for example.

(b) Service Delivery for Climate Change, Environment and Transport: In-Year Briefing

(Councillors S Hughes and A Davis attended under Standing Order 25 and spoke to his item with the consent of the Committee in regard to their respective portfolios).

(Councillor F Letch attended in accordance with Standing Order 25 and spoke to this item in regard to Road Casualty figures and fatality rates which was available on the County Council's website and which would be the subject of a presentation to the next meeting of the Mid Devon Highways and Traffic Orders Committee, as well as the other Hatocs).

The Committee considered a Paper by the Director of Climate Change, Environment and Transport (CET/22/73) on an in-year briefing on service delivery within Climate Change, Environment and Transport. This covered the Planning Team, Highways and Traffic Management (not previously reported via the Highways Dashboard), Infrastructure Development Infrastructure delivery; Waste Management, Transport Co-ordination, and the Environment Group.

Members' questions and discussion points with the Director included:

- any correlation between the reduced road casualty figures and 20 mph speed limits on which further information would be provided to Members;
- the planned establishment of a Local Nature Recovery Strategy which was in its early stages of development, and which could be the subject of a future Masterclass or item at a Standing Overview Group meeting;
- work to reduce litter and fly tipping and additional information on enforcement actions/levels of fixed penalty notices issues by District Councils would be circulated to Members;
- confirmation that works carried by Statutory Undertakers on the highways were subject to inspection and remedial action where necessary;

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- the outcome of a recently announced Traffic Commissioners' ruling in relation to service complaints against Stagecoach, Devon (details were available at: [Decision for Stagecoach Devon Ltd t/a Stagecoach South West - GOV.UK \(www.gov.uk\)](#));
- Scrutiny response in relation to the [Devon Electric Vehicle Charging Strategy - Have Your Say](#) and where it was agreed the Chair and Vice Chair, Councillors Asvachin and Trail would discuss a draft response with Officers on behalf of this Committee;
- disposal and use of portable BBQs and policy on which further information would be provided by the Director and her Waste Management Team;
- confirmation that major residential development planning applications were subject to statutory consultation by Local Planning authorities with the County Council as the Highway Authority and local County Council Member input was included as part of the process; and
- reference to textiles within the County Council's developing Waste Strategy available here: [Waste management strategy for Devon - Waste and Recycling](#)

(c) Communities and Prosperity Director of Public Health, Communities & Prosperity

(Councillor R Croad and R Gilbert attended under Standing Order 25 and spoke to this item with the consent of the Committee in regard to their respective portfolios).

The Committee considered a Briefing paper by the Director of Public Health, Communities and Prosperity on the mid-year update in regard to Public Health and health protection, Communities, and Prosperity. The Public Health service had been covered by the Health and Adult Care Scrutiny Committee at its last meeting. The Paper in addition to public health covered Communities which included: Food and Fuel Insecurity, Migration and Resettlement Programme, Community Safety, and also Economy, Enterprise and Skills which included: Trading Standards, Future Farm Resilience Programme, Exeter Science Park, Devolution Pilot, Active Devon, Devon Libraries, Youth Service, Skills and Employment, Careers South West; and Learn Devon.

Members' questions and discussion points with the Director of Public Health, Communities and Prosperity, the Head of Economy, Enterprise and Skills; and Head of Communities included:

- the national 16 Days of Activism – Activism to end violence against women which the County Council supported as part of a multi-agency working and learning to challenge gender based violence and on which more information would be sent to Members;
- the inclusion of the cost of living index in the Joint Strategic Needs Assessment (JSNA) and data base; and a One Devon summit and advice

and support from the County Council and work to address the increasing number of scams and fraud;

- the level of EU funding via the Prosperity Fund for District Councils and additional funding for the Council (3m over three years) on which more information would be provided to members;
- support for the rural economy and on which more information would be sent to Members in regard to Agri-tech, green skills and opportunities; and the future farms resilience programme; and the share of funding for the County Council following exit from the EU; and
- concerns from a member about a lack of response in regard to the 'space' youth service the details of which the Cabinet Member agreed to receive for his attention.

The Chair thanked the Officers for their report and response to members' questions.

* 80 **Race Equality Action Plan - Progress**

(Councillors I Hall and R Croad (Cabinet Member) attended in accordance with Standing Order 25 and spoke to this item with the consent of the Committee in support of the Action Plan and progress achieved to date)

The Committee considered the Report of Organisational Change on work to understand the impact of structural racism within the organisation and its effect on our ethnically diverse staff and the steps which were being which enabled the Council's ethnically diverse staff to feel safe, included and welcomed. An inclusive and diverse culture would help increase motivation, trust and confidence, recruitment and retention, and would also help staff feel valued and respected, increasing innovation and creativity.

This Committee had been charged with the task to monitor progress and be provided a report detailing progress every six months.

Since the last report to this Committee in March 2022, the Council had published an Anti-Racism Framework and corporate Race Equality Action Plan. The recommendations from the audit had been condensed into 16 objectives which sat under four organisational themes. There were currently 80 actions aligned to these objectives as detailed in the Report.

The Report outlined progress to date as reported to Cabinet in September. and the work and activities carried out since the report to Cabinet.

Members' questions and discussion points with the Director of Legal and Democratic Services, who was now the Officer lead for the Plan included:

- the progress in strengthening resources, governance and accountability in respect of the 18 points listed in the Report for example relating to

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Objective 8 recruitment and selection methods in regard to HR policies and procedures and appropriate job descriptions;

- the importance of member briefings / training to be held in December 2022 and January 2023 and further information would be circulated;
- whether JSNA information included data in regard to minority communities in Devon (following the recent national census) which would be taken up with the Director of Public Health, Communities and Prosperity; and
- support for the provision of suitable space/room for staff contemplation irrespective of faith.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor C Slade and

RESOLVED that the achievements in the progress of the Action Plan be commended and the planned next steps to further advance race equality and commitment to a 'zero tolerance' approach to racism be supported.

* 81

Treasury Management Mid-Year Stewardship Report 2022/23

The Committee considered the Report of the Director of Finance and Public Value (DF/22/102) on key matters arising from the Council's Treasury and Debt Management activities during the first seven months of the 2022/23 financial year. The Report was intended to enable members to ensure that agreed policy was being implemented. This report, together with any comments offered by this Committee would be considered by Cabinet on 14th December.

The Report covered the Borrowing Strategy 2022/23 to 2024/25 and the investment Strategy for 2022/23, the minimum revenue provision, prudential indicators and prospects for 2023/24.

Members' questions and discussion points with the Head of Investments included:

- ongoing discussion with the Department for Education around the deficit on Special Education Needs and capitalisation of revenue which would be subject to approval by the Secretary of State and implications for external debt over the next year and beyond;
- the ringfenced external borrow for the Plymouth and South Devon Free Port with other local authorities and the limited risk for the County Council on which further information would be provided to Members; and
- the additional investment income achieved.

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

RESOLVED that the report be commended to the Cabinet noting that no long term borrowing had been undertaken to date in 2022/23.

* 82 **Future Management of Local Bus Services**

(Councillor A Davis attended in accordance with standing Order 25 and spoke to this item with the consent of the Committee and referred to the support for the bus network in Devon, the challenges faced by the County Council and operators in achieving net zero on the network by 2030)

The Committee considered a Report of the Director of Climate Change, Environment and Transport (CET/22/72) on the progress made with the establishment of the Enhanced Partnership (EP) and what this meant for the management of local bus services. The Report also provided an update on the challenges faced the County Council as Public Transport Authority and Devon's bus companies on the future of the local bus service network.

A link to the Enhanced Partnership: [Transport websites \(sharepoint.com\)](#)

The Report outlined the role of the EP Board which first met on Thursday 3 November and would have regular quarterly meetings and linked to the EP board would also be the Bus Users and Stakeholders (BUS) Group which would comprise a wider range of bus user representatives and stakeholders to provide a second tier of peer review and performance consultation.

The Report also outlined the State of the Local Bus Service Network, current patronage levels, changes to the commercial network, the County Council funded services, the regulatory framework, consultation on the EP and Scheme document, and the County Council's Strategic Plan where Transport was a major theme.

The establishment of an Enhanced Partnership was a positive step forward in restoring confidence in the local bus network and would lead to more formalised joint working between the County Council and local bus companies. However it came at a time when the funding from the BSIP submission had been much reduced and the overall transport market continued to face unprecedented challenges.

Member questions and discussion points with the Director and the Head of the Transport Co-ordination Service included:

- the extent of County Council supported services covering some 80% of the network; and the decreased patronage level at 80% of pre-pandemic levels;
- the availability of Bus Service Improvement Plan (BSIP) funds for bus infrastructure improvements (bus shelters for example);
- disappointment by local members at the Traffic Commissioners' findings in relation to Stagecoach reliability particularly in Exeter;

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- the opportunity to improve and influence services via the EP arrangements including use of smaller operators and whilst noting that direct control/ownership/franchise arrangements were not permitted; and
- that a Masterclass on the control and ownership of bus services and associated risks/issues would be useful before any further recommendations to Cabinet on any proposal for representation to Government.

It was **MOVED** by Councillor A Dewhirst, **SECONDED** by Councillor Y Atkinson and

RESOLVED that in recognising the vital role of the connectivity provided by the bus network in Devon, the Cabinet be requested to speak to Government to secure greater investment in the local bus network as being essential in promoting public health and supporting carbon reduction and climate strategies.

* 83

Item Previously Circulated

Information previously circulated to Members since the last meeting, relating to topical developments which have been or are currently being considered by this Scrutiny Committee:

Link for the Risk Registers for the respective Scrutiny Committees: [Risk Registers - Democracy in Devon](#)

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

The Meeting started at 10.30 am and finished at 1.50 pm