

COUNCIL – DECISION NOTICE

25 May 2023

Present:-

Councillors T Adams, M Asvachin, Y Atkinson, S Aves, J Bailey, D Barnes, J Berry, F Biederman, J Bradford, J Brazil, J Brook, P Bullivant, C Channon, R Chesterton, I Chubb, A Connett, D Cox, P Crabb, A Davis, A Dewhirst, R Gilbert, G Gribble, I Hall, R Hannaford, J Hart, M Hartnell, J Hawkins, L Hellyer, P Henderson, J Hodgson, S Hughes, S Randall Johnson, S Khan, A Leadbetter, C Leaver, F Letch MBE, P Maskell, D McGeough, J McInnes, J Morrish, R Peart, P Prowse (Chair), R Radford, I Roome, L Samuel, P Sanders, A Saywell, R Scott, D Sellis, C Slade (Vice-Chair), M Squires, D Thomas, P Twiss, C Whitton, J Wilton-Love, M Wrigley and J Yabsley

Apologies:-

Councillors R Croad

1 Election of Chair

Councillor Randall Johnson **MOVED** and Councillor Trail **SECONDED** that Councillor Prowse be elected Chair of Devon County Council for the ensuing year. The Motion was put to the vote and declared **CARRIED**.

2 Appointment of Vice-Chair

Councillor Squires **MOVED** and Councillor Chesterton **SECONDED** that Councillor Slade be appointed Vice-Chair of Devon County Council for the ensuing year. The Motion was put to the vote and declared **CARRIED**.

3 Appointment of Deputy Leader of the Council

Councillor Hart, the Leader of the Council, **MOVED** and Councillor Hughes **SECONDED** that Councillor McInnes be appointed Deputy Leader of Devon County Council for the ensuing year. The Motion was put to the vote and declared **CARRIED**.

4 Cabinet Members and Allocation of Remits

Councillor Hart, Leader of the Council, **MOVED** and Councillor Hughes **SECONDED**: “that the Council note that the Members shown in the Appendix circulated with the agenda have been appointed to the Cabinet and designated as Cabinet Members as indicated therein with the remits shown, to hold office until the date of the Annual Meeting of the Council in 2024”. The Motion was put to the vote and declared **CARRIED**.

5 **Minutes**

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 16 February 2023 be signed as a correct record. The Motion was put to the vote and declared **CARRIED**.

8 **Appointment of Committees**

RESOLVED

(a) that in accordance with Standing Order 21 the County Council appoints those Committees, Joint Committees and Working Parties/Panels as shown in the Appendix circulated prior to the meeting and uploaded to the website with terms of reference set out in the Council's Constitution for the period expiring at the date of the Annual Meeting of the Council in 2024;

(b) that, as required by section 16(1) of the Local Government and Housing Act 1989, Members of the Council be appointed as voting members to those Committees, Joint Committees, Joint Consultative Committees and Working Parties/Panels referred to at (a) above in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the proposed allocation of seats as between political party groups and set out for the time being in the Appendix circulated prior to the meeting and uploaded to the website;

(c) that, as in accordance with the Council's Scrutiny Procedure Rules, the County Council appoints the total numbers of voting (v) or non-voting (nv) members to those Committees, Joint Committees and Working Parties/Panels referred to (a) above as thus denoted in the Appendix (the Council's voting scheme) circulated with the agenda for the period expiring at the date of the Annual Meeting of the Council in 2024;

(d) that the Chief Executive be authorised to approve such changes to membership of the above bodies detailed in the Appendix circulated as may be notified from time to time by the relevant political group to which those seats have been allocated by the Council; and

(e) that additional Members of Scrutiny Committees, Highways and Traffic Orders Committees, the Standards Committee and the Farms Estate Committee as detailed in the aforementioned Appendix (or to be nominated by those bodies listed thereon) be appointed for the period expiring at the date of the Annual Meeting of the Council in 2024 or as otherwise shown (subject to any change notified by the nominating body) or, in the case of parent governor representatives on the Children's Scrutiny Committee, following a ballot of eligible parent governors.

9 **Appointment of Chair's and Vice-Chair's of Committees**

Councillor Hughes **MOVED** and Councillor Barnes **SECONDED**: 'that Members shown in the Appendix circulated prior to the meeting and uploaded to the website be elected Chair and Vice-Chair of those Committees as indicated therein to hold office until the date of the Annual meeting of the Council in 2024'. The Motion was put to the vote and declared **CARRIED**.

13 **Governance Review Plan**

RESOLVED that Council;

(a) establish a cross-party working group comprising up to 7 Members, to progress a root and branch Governance Review, noting recommendation (b) below which gives flexibility for wider membership as the review progresses;

(b) that the Director of Legal and Democratic Services, in consultation with the Chair of Procedures Committee and Group Leaders be authorised to appoint additional Members to the working group, in line with the review themes;

(c) approve the proposed approach, programme and timeline for the Governance Review, as set out in Appendix 1; and

(d) that the Director of Legal and Democratic Service, in consultation with the Chair of Procedures Committee and Group Leaders be authorised to implement any changes to the Governance review programme which are required.

15 **Minutes**

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

Appeals Committee - 27 February and 24 April 2023

Audit Committee - 28 February 2023

Investment and Pension Fund Committee- 3 March 2023

Public Rights of Way Committee - 9 March 2023

Standards Committee - 16 March 2023

Appointments, Remuneration and Chief Officer Conduct Committee - 20 March, 12 April, 27 April & Chief Office Conduct Committee 9 May and 25 May 2023 (*including approval of minute 59 and the appointment of Rebecca Hopkins to the post of Deputy Director Children's Services - Head of Children's Social Care, approval of minute 66 and the appointment of Matthew Jones as Director of Transformation and Business Services, approval of minute 67 and the appointment of Maria Chakraborty as Director of People and Culture and minute 71 and the appointment of Stuart Collins to the post of Director Children and Young People's Futures*).

Procedures Committee - 25 April 2023 (*noting that Minute 33 relating to the Governance Review Plan was dealt with earlier in the agenda – item 14*)

Development Management Committee - 26 April 2023
Corporate Infrastructure & Regulatory Services Scrutiny Committee (Special Meeting and Ordinary meeting) - 21 February & 23 March 2023
Children's Scrutiny - 14 March 2023
Health & Adult Care Scrutiny - 21 March 2023

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

17 Protect the Right to Free Camp on Dartmoor (Minute 188 of 16 February 2023)

That the County Council:

(a) shares the concern expressed by this Notice of Motion (and the one submitted by Councillor Barnes) about the legal implications of this High Court ruling for the right to backpack camp on relevant parts of Dartmoor, particularly in the light of long-standing tradition of such activity and the resulting benefits for physical and mental wellbeing of connecting with nature in this way;

(b) endorses the actions taken by Dartmoor National Park Authority in its efforts to uphold the ability for the public to enjoy responsibly this activity on an ongoing basis, including its promotion of a 'Backpack Camping Code'; and it is recognised that motorised vehicles, campervans and sleeping in cars is not included in the backpack camping code and will be subject to regulation and enforcement to avoid harm to Dartmoor's moorland environment; and

(c) calls on the Secretary of State for the Environment to support appropriately these endeavours across relevant parts of the Dartmoor Commons.

18 Forced Installation of Prepayment Meters (Minute 189 - 16 February 2023)

That Council;

(a) continue to work with and support local partners, including Team Devon Councils, the NHS and the voluntary and community sector, on supporting vulnerable households; and

(b) write to the Secretary of State, with a copy to Devon MPs, urging Government to: reduce energy vulnerability through financial support for struggling households; introduce a moratorium on the installation of gas or electricity prepayment meters; cease the use of court warrants to gain entry to homes to fit prepayment meters or the automatic switching of smart meters onto prepayment ones.

19 Special Education Needs (SEND) Budgets and Deficits (Minute 190 - 16 February 2023)

That Council welcomes the concern and support shown by all Members, demonstrating the desire across the County Council to ensure a secure future where children with special needs receive the educational support they need and in the right settings. To that end, the Council reaffirms its strong commitment to achieve a financially sustainable future for special educational needs and thereby also provide parents and carers of children with special needs with confidence and reassurance.

20 Dartmoor National Park (Minute 191 - 16 February 2023)

That the County Council:

(a) shares the concern expressed by this Notice of Motion (and the one submitted by Councillor Wrigley) about the legal implications of this High Court ruling for the right to backpack camp on relevant parts of Dartmoor, particularly in the light of long-standing tradition of such activity and the resulting benefits for physical and mental wellbeing of connecting with nature in this way;

(b) endorses the actions taken by Dartmoor National Park Authority in its efforts to uphold the ability for the public to enjoy responsibly this activity on an ongoing basis, including its promotion of a 'Backpack Camping Code'; and it is recognised that motorised vehicles, campervans and sleeping in cars is not included in the backpack camping code and will be subject to regulation and enforcement to avoid harm to Dartmoor's moorland environment; and

(c) calls on the Secretary of State for the Environment to support appropriately these endeavours across relevant parts of the Dartmoor Commons.

21 Debate not Hate

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

22 Devon County Council to Treat Care Experience as if it were a Protected Characteristic

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

23 Teachers Pay - Investing in our Childrens Futures

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

24 Governance Review and Council Consultations

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

25 **Devon 20's Plenty**

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