

COUNCIL – DECISION NOTICE

15 February 2024

Present:-

Councillors T Adams, M Asvachin, J Berry, F Biederman, J Bradford, J Brazil, J Brook, P Bullivant, R Chesterton, I Chubb, A Connett, D Cox, P Crabb, R Croad, A Davis, A Dewhirst, R Gilbert, G Gribble, I Hall, R Hannaford, J Hart, 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), L Samuel, P Sanders, A Saywell, R Scott, D Sellis, C Slade (Vice-Chair), M Squires, J Trail BEM, P Twiss, C Whitton, J Wilton-Love, M Wrigley and J Yabsley

H Gent (Remote attendance)

Apologies:-

Councillors Y Atkinson, S Aves, J Bailey, D Barnes, C Channon, M Hartnell, R Radford, I Roome and D Thomas

1 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 7 December 2023 be signed as a correct record.

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

7 Revenue Budget, Medium Term Financial Strategy 2024/2025 - 2027/2028 and the Capital Programme for 2024/2025 - 2028/2029

(Councillor Wilton- Love declared a personal interest in this matter by virtue of working in the Health and Social Care field)

(Councillor Hodgson declared a personal interest in this matter by virtue of being a Member of South Hams District Council and intending to mention the Authority in the debate).

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

8 Pay Policy Statement 2024/2025

The Leader of the Council **MOVED** and Councillor McInnes **SECONDED** that the recommendations of the Appointments, Remuneration and Chief Officer Conduct Committee be approved and that the Pay Policy Statement for 2024/25 (and consequential changes to the Council's Constitution) as set out at Minute 85 of that Committee be endorsed and the Constitution amended accordingly.

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

9 **Corporate Performance Management Framework and Local Government Association Corporate Peer Challenge**

(a) that the development and introduction of the corporate performance management framework described in this Report be agreed and commended to Council; and.

(b) that the proposal for a Local Government Association Corporate Peer Challenge, **provisionally**, in December 2024 be endorsed.

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

11 **Minutes**

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

Development Management Committee - 6 December 2023

Appeals Committee - 4 December 2023 and 5 February 2024

Appointments, Remuneration and Chief Office Conduct Committee - 15 January 2024

Procedures Committee - 1 February 2024

including approval of Minute 50 - relating to the recommendations of the Report of the Independent Members Allowances Remuneration Panel for 2024/2025 (the revised scheme to take effect from May 2024).

including approval of Minute 51 and an update to the Council's Policy on Disclosure and Barring Service (DBS) Checks for Elected Members, to enhance DBS check Members of the Council's Cabinet.

including approval of Minute 52 relating to revised guidance and operating procedures for Delegated Member Decisions, subject to amendment to 5 working days at paragraph 11.6 of the revised guidance.

including approval of Minute 53 relating to revised operating procedures for Member Questions at Council meetings.

including approval of Minute 54 relating to revised operating procedures for Cabinet Member Reports at Council Meetings. *(In accordance with Standing Order 32.4, Councillor Connett asked that his vote against the motion be recorded).*

□ including approval of Minute 55 relating to the new arrangements for Health Scrutiny and the required legislative changes.

Children's Scrutiny - 18 January 2024

Health & Adult Care Scrutiny - 24 January 2024

Corporate Infrastructure & Regulatory - 25 January 2024 Services Scrutiny

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

12 Gaza Crisis (Minute 244 - 7 December 2023)

that the Council;

(a) support the Government in its efforts to find an urgent ceasefire solution in this situation;

(b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;

(c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and

(d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

13 Tackling "Box Shifting" (Minute 245 - 7 December 2023)

that the Council asks the Director of Finance and Public Value to liaise with the Districts in Devon, as the billing authorities in the County for business rates, to explore whether there is a concern around the scale of empty property rates relief in Devon and assess whether the practice of 'box shifting' is an issue locally. **To also consult the federation of small businesses (FSB) for their views on the matter.** This will inform any further information and recommendations to the Cabinet Member for Finance for further consideration.

14 Local Government and Social Care Ombudsman (LGSCO) findings on Special Educational Needs and the Role of Scrutiny (Minute 246 - 7 December 2023)

That the County Council supports the independence of Scrutiny in carrying out the important role of critical friend challenge whilst recognising the importance of taking an evidence-based approach to work programming and asks the Chairs and Vice Chairs Committee to consider if the current approach to incorporating Local Government Ombudsman reports is as comprehensive as it needs to be.

15 Hospiscare Funding (Minute 247 - 7 December 2023)

That in line with the LGA guidance to local authorities on EoLC, Council ask the Health and Adult Care Scrutiny Committee and / or the Health and Wellbeing Board to review the recommendations and;

(a) explore the quality of end-of-life care in the area, on an annual basis, including how end of life care and support is experienced by different communities in their area;

(b) seek assurance that key responsibilities under the Care Act are being delivered and also that processes, such as those around NHS Continuing Health Care, are effective and person-centred; and

(c) consider whether there is a role for an elected member end of life care champion role to raise the profile of end-of-life care across the council and with partners.

16 Humanitarian Emergency in Gaza (Minute 248 - 7 December 2023)

that the Council;

(a) support the Government in its efforts to find an urgent ceasefire solution in this situation;

(b) express solidarity with the innocent people directly affected by the ongoing situation in Israel and Gaza;

(c) pay tribute to the humanitarian aid workers who remain committed to their work, despite the dangers to their health and their lives; and

(d) continue to work with the Devon and Cornwall Police and local communities to ensure Devon's residents are safe.

17 Austerity and Cuts to Local Government Funding (Minute 249 - 7 December 2023)

That the Council respond to the consultation on the Provisional Settlement for 2024/25 explaining the implications of the settlement for Devon and engages with the LGA and Society of County Treasurers to ensure the financial challenges faced by local government will continue to be represented to Government to inform the next Spending Review.

18 **Devon Residents Deserve Clean Rivers and Beaches (Minute 250 - 7 December 2023)**

(Councillor Hart declared a Disclosable Pecuniary Interest in this matter by virtue of being in dispute with South West Water and withdrew from the meeting during its consideration).

that Council;

(a) note that the ongoing problem of poor water quality in Devon impacts on our local communities, economies and environment across the county; and

(b) urge all those with a specific role, including South West Water, the Environment Agency, Ofwat and central government, to pursue relevant action to adequately address this problem.

19 **Flexibility and Action against holiday firms exploiting families, those working in schools and the holiday industry**

(Councillors Hart and Twiss declared a Disclosable Pecuniary Interest in this matter by virtue of being in the holiday business and withdrew from the meeting during its consideration).

(Councillor Gilbert declared a Disclosable Pecuniary Interest in this matter and withdrew from the meeting during its consideration)

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