

*County Council*  
Thursday 5th December 2024



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## DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall  
Exeter  
EX2 4QD

27 November 2024

**Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 5th December, 2024 at 2.15 pm.**

A handwritten signature in dark ink, consisting of a large, stylized initial 'D' followed by a cursive name.

Chief Executive

[The Chair's Guest Speaker works in the Council's Customer Relations team, and is speaking as a care experienced young person working for the Council at **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

### **AGENDA**

1. **Apologies for Absence**

2. **Declarations of Interest**

Members of the Council will declare any interests they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

The other registrable interests of Councillors of Devon County Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.

For details of District and or Town and Parish Twin Hatters – please see here [County councillors who are also district, borough, city, parish or town councillors](#)

3. **Minutes**

To approve as a correct record and sign the minutes of the meeting held on 5 September 2024, previously circulated.

4. **Announcements**

5. **Important Announcements from the Leader and Cabinet Members**

In line with the Cabinet Procedure Rules, the Leader and/or Cabinet Members may update the Council with any important updates or announcements that cannot reasonably wait.

Members may ask a brief question directly related to any verbal announcement made.

6. **Items Requiring Urgent Attention**

7. **Devon and Torbay Combined County Authority (DTCCA) - Appointments**  
(Pages 1 - 6)

Report of the Director of Legal and Democratic Services (LDS/24/49) outlining the appointment processes of Members to the Devon and Torbay Combined County Authority (DTCCA), attached.

*Electoral Divisions(s): All Divisions*

8. **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.

9. **Petitions from Members of the Council**

10. **Questions from Members of the Council**

Answers to questions from Members of the Council pursuant to Standing Order 17.

**OTHER MATTERS**

11. **Terms of Reference for Team Devon Joint Committee** (Pages 7 - 18)

Report of the Director of Legal and Democratic Services & Director of Performance and Partnerships (LDS/24/50) regarding the appointment of the Team Devon Joint Committee, attached.

*Electoral Divisions(s): All Divisions*

## 12. Cabinet Member Reports

To consider reports from Cabinet Members from the following portfolios.

- (a) Economic Recovery and Skills (Pages 19 - 22)
- (b) Children's SEND Improvement Services (Pages 23 - 28)
- (c) Integrated Adult Social Care & Health (Pages 29 - 34)
- (d)

## 13. Councillor Complaints Process (Pages 35 - 76)

The Council is asked to receive and approve the proposed new process for dealing with Councillor Complaints (the Report of the Director of Legal and Democratic Services (LDS/24/27)), as recommended by the Standards Committee (14 October 2024) (Minute 59 refers and replicated below). The Report considered by the Committee is attached.

***RESOLVED*** that the Committee endorses the revised Member Complaints Process, based on the Local Government Association Model process, for recommendation to the Council, prior to publication to the Council's website.

*Electoral Divisions(s): All Divisions*

## BREAK

## 14. Minutes

To receive and adopt and / or approve the Minutes of the under mentioned Committees

- (a) School Transport Appeals Committee - 2 September 2024 (Pages 77 - 80)
- (b) School Transport Appeals Committee - 7 October 2024 (Pages 81 - 84)
- (c) School Transport Appeals Committee - 24 October 2024 (Pages 85 - 86)
- (d) School Transport Appeals Committee - 26 November 2024

The minutes of this meeting will be published here shortly.

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=160&MId=5029&Ver=4>

- (e) Procedures Committee - 19 September 2024 (Pages 87 - 88)
- (f) Procedures Committee - 18 November 2024 (Pages 89 - 94)

The Council is asked to approve Minute 79 relating to the adoption of a protocol (attached) to support site visits for the Land and Property Committee, as endorsed by that Committee and also the Procedures Committee.

- (g) Investment and Pension Fund Committee - 13 September 2024 (Pages 95 - 102)
- (h) Investment and Pension Fund Committee - 2 December 2024

The minutes of this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=187&MId=5028&Ver=4>.

- (i) Audit Committee - 30 September 2024 (Pages 103 - 108)
- (j) Standards Committee - 14 October 2024 (Pages 109 - 116)
- (k) Development Management Committee - 23 October 2024 (Pages 117 - 122)
- (l) Appointments, Remuneration and Chief Officer Conduct Committee - 7 November 2024 (Pages 123 - 124)
- (m) Public Rights of Way Committee - 14 November 2024

The minutes for this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=171&MId=5023&Ver=4>.

- (n) Children's Scrutiny Committee - 16 September 2024 (Pages 125 - 132)
- (o) Children's Scrutiny Committee - 11 November 2024

The minutes of this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=428&MId=5017&Ver=4>.

- (p) Health and Adult Care Scrutiny Committee - 23 September 2024 (Pages 133 - 142)
- (q) Health and Adult Care Scrutiny Committee - 21 November 2024 (Pages 143 - 150)
- (r) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 25 September 2024 (Pages 151 - 156)
- (s) Corporate Infrastructure and Regulatory Services Scrutiny Committee - 28 November 2024

The minutes for this meeting will be published here shortly - <https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=427&MId=5027&Ver=4>

## **NOTICES OF MOTION**

### **15. Divestment from Pension Scheme (Minute 313 of 5 September 2024)**

To receive and consider the recommendations of the Investment and Pension Fund Committee 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;

Further to withdrawing over £2 million in investments from companies selling arms to Israel. Devon County Council now commits to investigating withdrawing the £84 million that remains invested through its investments

and pension funds in such companies, including Rolls Royce (£1,951,241), Barclays Bank (£12,889,533), BAE Systems (£4,969,449), and Babcock (£360,850).

Devon County Council seeks immediate withdrawal of these investments, particularly in light of the tragic loss of over 20,000 children in Gaza. Our pension fund should not support activities contributing to such atrocities.

Devon County Council seeks to fully divest from these companies and to uphold values of peace, justice, and ethical responsibility.

The minutes of the Investment and Pension Fund Committee will be available here shortly, outlining the Committees deliberations and response.

<https://democracy.devon.gov.uk/ieListDocuments.aspx?CId=187&MId=5028&Ver=4>

## 16. **Young Carers Covenant (Minute 314 of 5 September 2024)**

To receive and consider the recommendations of the Cabinet (Minute 644) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Letch and referred thereto in accordance with Standing Order 8(2), namely.

The Young Carers Covenant is a UK-wide commitment to young carers and young adult carers, setting out ten key outcomes that young carers from across the UK have said are key to improving their lives. It was drawn up by Carers Trust and members of the Young Carers Alliance and was launched on Young Carers Action Day 2024.

Any organisation or individual in a position to take action to help achieve these outcomes is urged to sign up to the Covenant.

The work to date by the Council on supporting the covenant is welcomed, but the Council and its Members are asked to continue this journey, sign the young carers covenant and undertake to implement its aims.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/39) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

*that Council be recommended to;*

*(a) support the proposed review of the existing contract so that the contract delivers a more dynamic approach to supporting our young carers and their families; so that young carers receive the right help from the right service at the right time;*

*(b) acknowledge the work of the Place Called Home Board in undertaking their best practice consultation;*

*(c) support progression of actions through the existing Steering Group reporting into the Place Called Home Board, so that the Council can evidence what it is delivering against the key changes identified by young carers and submit the application for the Covenant once the new contract has been developed and awarded; and*

*(d) ask the Childrens Scrutiny Committee Members to monitor progress against the actions identified by the Young Carer's Steering Group and update Cabinet next year on the proposal for the new contract.*

**17. Winning A Better Devolution Deal For Devon (Minute 315 of 5 September 2024)**

To receive and consider the recommendations of the Cabinet (Minute 623) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Leaver and referred thereto in accordance with Standing Order 8(2), namely;

The commitment of the new Labour Government to Devolution is welcomed by Devon County Council.

Council now believes it is possible to negotiate a much better devolution deal for Devon than the spartan arrangements approved by the last Government which disregarded and marginalised the value and importance of the City, Borough and District Councils in the County.

Council seeks a genuine partnership with local councils across the county council area and partner councils in establishing a new devolution deal that will help deliver and secure jobs, skills and economic development, along with much needed socially affordable housing, and help develop our education and healthcare sectors among others.

This Council therefore calls for no further action to be taken on the old Devon/Torbay devolution deal and for the Council to open new discussions with the Government on a revised deal for Devon, including Torbay and Plymouth and to also invite other councils neighbouring Devon to participate.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report (LDS/24/38) and other suggestions or alternatives considered at that meeting the Cabinet subsequently **resolved**:

*that it is recommended that the Council;*

*(a) notes the new Labour Government's decision to finalise the regulations to establish the Devon and Torbay Combined County Authority which will give effect to the agreed devolution deal;*

*(b) acknowledge that on 24 April 2024 full Council agreed the final proposal*

*for a Devon and Torbay Council devolution deal to be submitted to the Secretary of State. The proposal has been fully consulted upon. The proposal was reviewed by two separate governments, and the Council is delighted that it is progressing;*

*(c) note that the deal represents the start of a positive and productive relationship with Government which can lead to wider and deeper opportunities. Complementing Torbay and its coastal position, Devon County Council and Torbay Council would encourage the Devon District Forum to consider nominating an urban and a rural District Council representative to sit on the CCA Board once established. Once the Devon and Torbay CCA is established, the Council welcome the prospects of widening the remit of the CCA, to take on additional devolved funding and powers from national government; and*

*(d) note that the opportunity for Plymouth to join the Devon and Torbay CCA remains open, should Plymouth wish to pursue this.*

## **18. Protecting British Family Farms and Preserving Rural Communities**

Councillor Samuel to move:

This Council notes with concern the proposed changes to inheritance tax announced by the Labour Government in the recent Autumn budget, which would scrap Agricultural Property Relief (APR). APR has been instrumental in allowing British family farms to remain intact across generations, supporting food security, sustaining rural communities, and aiding environmental stewardship.

This tax is estimated to impact over 70,000(1) family farms, leaving the average farming family with a tax bill of at least £240,000(2), which will force many to sell portions of their land or close entirely, paving the way for corporate ownership over family ownership.

The Council believes that this tax will have severe impacts:

1. Food Security: Selling off land or closing farms will put our national food independence at risk, at a time when global stability is already fragile. British family farms are critical to ensuring a steady supply of homegrown food.

2. Rural Community Stability: Family farms are the foundation of rural Britain, contributing to local jobs, schools, and essential services. Labour's proposed tax risks destabilising communities, eroding the rural way of life, and causing a negative ripple effect across the countryside.

3. Environmental Stewardship: Farms cover 70% of the UK's land, with family farms playing a leading role in nature recovery, biodiversity, and sustainable land management. The sale and fragmentation of these lands would hinder conservation efforts and undermine environmental initiatives.



This Council therefore resolves to:

- Oppose the Labour Government's changes to inheritance tax affecting family farms.
- Advocate for the exemption of family farms to preserve the UK's food security, rural communities, environmental initiatives

This Council urges all Councillors to stand with Britain's family farms, to support our rural communities, and to protect the environment by formally rejecting this proposed "family farm tax" and asks for a cross party letter from Group Leaders of this Council to write to the Chancellor expressing the concerns about the inheritance tax policy on farm land over £1m (which will come into effect in 2026), outlining the detrimental effect on the future of farming in Devon, food security, environmental stewardship and the need to sustain rural communities.

**References**

1. CLA 2024 October <https://www.cla.org.uk/news/help-the-cla-save-your-family-business/>
2. AHDB 2024 October <https://ahdb.org.uk/news/ahdb-response-to-budget-2024>

**19. Control of Local Bus Services**

Councillor Atkinson to move:

That Devon County Council as the transport authority together with the new combined authority, gives serious consideration to take advantage of the package of measures announced by the Transport Secretary on 9th September 2024 to empower local leaders to take control of their bus services . The expectation is that these measures will be the first stop on the journey to better buses.

The Council undertakes to report into the feasibility of these proposals for Devon and how these powers may be used to improve bus services.

That the County Council consider bringing strategic partners such as District Councils into the discussion, as the provision of effective bus services is something that affects us all and does not recognise boundaries.

**20. Children's Social Care Policy Statement.**

Councillor Aves to move:

This Council Notes:

On 18 November the Department for Education published a policy statement '[Keeping Children Safe, Helping Families Thrive](#)', its new Children's Social Care policy statement, setting out the government's vision for reform and a legislative agenda to reset the children's social care system, both in terms of how national government collaborates with local government, but also in taking a whole system approach to reform.

The Secretary of State states she wants to break down barriers to opportunity. The document also outlines a commitment to support children to live in family settings where children cannot remain at home, including through kinship or foster care, rather than residential care.

The Devon County Labour Group supports this aim and believes Devon County Council must commit to further strengthen what it does to keep families together and children safe.

Alongside this, the statement sets out ambitions to fix the broken care market, invest in key enablers and ensure the system is working effectively for vulnerable children and families.

A Guardian article on children's homes on 18<sup>th</sup> November pointed out that three years ago the Competition and Markets Authority found Children's homeowners in England, Scotland and Wales were making excessive profits, while carrying too much debt - exposing children and councils to unacceptable risks and exploiting children for profit.

The needs of children rather than market forces should shape where children's homes are placed, and that children are placed in the most appropriate homes.

This Council resolves to:

1. work with the new government to reset and improve the children's social care system in Devon as set out in the new document 'Keeping Children Safe, Helping Families Thrive' from The Rt Hon Bridget Phillipson MP, Secretary of State for Education and Minister for Women and Equalities .
2. welcome the new powers for Ofsted to investigate multiple homes being run by the same company, acting on the recommendations made in response to stop abuse from happening in children's homes.
3. improve the residential care opportunities in Devon to keep children in care near families, friends, and their school where appropriate.
4. increase the number of in-house residential care facilities and use not-for-profit providers, and, become involved in the setting up of Regional Care Co-operatives.
5. give a secure undertaking that they will not place children in homes that are unregistered or just for profit.
6. provide or use not-for-profit homes where children and care experienced young people have access to properly trained staff who are able to give them the support, skills, and connections to friends and relatives that will continue to support them throughout their life.

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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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