

## COUNCIL

29 April 2024

### Present:-

Chair: P Prowse

Vice-Chair: C Slade

Councillors T Adams, M Asvachin, Y Atkinson, S Aves, J Bailey, J Berry, J Bradford, J Brazil, P Bullivant, C Channon, R Chesterton, I Chubb, A Connett, D Cox, P Crabb, R Croad, A Davis, H Gent, R Gilbert, I Hall, J Hart, J Hawkins, L Hellyer, P Henderson, J Hodgson, S Hughes, S Randall Johnson, A Leadbetter, C Leaver, F Letch MBE, P Maskell, D McGeough, J McInnes, J Morrish, R Peart, I Roome, L Samuel, P Sanders, A Saywell, R Scott, D Sellis, M Squires, D Thomas, J Trail BEM, P Twiss, C Whitton, M Wrigley and J Yabsley

Councillor Khan (remote attendance).

### Apologies:-

Councillors F Biederman, A Dewhirst, G Gribble, M Hartnell, R Radford and J Wilton-Love.

## 270 **Declarations of Interest**

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item. The details of District and or Town and Parish Twin Hatters was on the attached list - [A list of county councillors who are also district, borough, city, parish or town councillors](#). It was noted that Councillor Davis would declare an interest at the appropriate time in the meeting.

## 271 **Announcements**

The Chair of the Council had no formal announcements to make.

## 272 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

## 273 **Public Participation: Petitions, Questions and Representations**

There was no petition received from a member of the public.

There were no questions or verbal representations by any member of the public.

**274      Petitions from Members of the Council**

There was no Petition received from a Member of the Council.

**275      Questions from Members of the Council**

In accordance with the Council's Procedure Rules, the Leader provided written responses to four questions submitted by Members of the Council relating to the following matters.

1.      Potential impact on on-going funding to the Council from central government from the CCA and whether this has been assessed?
2.      Whether the Devon and Torbay CCA would be adding to the precept to of Council Tax annual charges?
3.      Written assurance that the CCA will not cut the relationships between Homes England and District Councils?
4.      written assurance that the CCA will push for access to national funds, rather than setting-up a ringfenced set of funds that District councils, and Torbay have to compete for against each other?

The Leader responded orally to the supplementary questions arising therefrom.

*(A copy of the questions and answers are appended to the minutes and any supplementary questions and answers may be observed through the [livestream of the meeting](#))*

**276      Devon & Torbay Combined County Authority and Devolution Deal**

(Councillor Davis declared a Disclosable Pecuniary Interest in this matter by virtue of being Chair of Exmoor National Park and also the Peninsula Transport Shadow Sub National Transport Body and withdrew from the meeting during its consideration).

The Council considered the Minutes of the Cabinet meeting (Minute 530 (A-F) of 22 April 2024), together with the Report of the Chief Executive (CEX/24/1), relating to the proposed Devon & Torbay Combined County Authority and Devolution Deal.

The Report contained an analysis of the responses on the draft proposal for the Devon and Torbay Combined County Authority (appendix A) and also the proposal for the Devon and Torbay Combined County Authority (DT CCA) for submission to the Secretary of State for Levelling Up, Housing and Communities (appendix B).

The analysis provided Members with an overview of the consultation process, an analysis of the responses to each of the themes in the draft proposal (maximising economic potential, addressing housing pressures, improving local

transport, meeting net zero ambitions, delivering investment in Devon and Torbay, creating a strong and sustainable local economy and delivery arrangements for the Devon and Torbay Combined County Authority (DT CCA).

The Levelling-up and Regeneration Act 2023 gave the Secretary of State the power to make regulations that established Combined County Authorities as separate free-standing bodies and gave them the responsibility for specific local authority functions. The DT CCA would be a “body corporate” that would be brought into being through statutory regulations: secondary legislation that was approved by Parliament.

The anticipated timescale was outlined in section 6 of the Report which included, subject to approval at Torbay and this Council, a Government decision on the final proposal (May 2024), the draft regulations (the “Statutory Instrument”) to create the DT CCA (prepared by Government) (June 2024), with the Statutory Instrument being laid in Parliament in July 2024. Consideration of the Statutory Instrument by the Joint Committee on Statutory Instruments, the House of Commons Delegated Legislation Committee and the House of Lords Grand Committee would be September/October 2024, with the Statutory Instrument coming into force in the Autumn.

Further detail relating to the operation and governance of the DT CCA, such as the arrangements for meetings, scheme of delegation to officers and details of audit and scrutiny would be matters for the Constitution of the DT CCA. As these issues were discussed, there would be opportunities for key stakeholders, including district councils, to provide input and a Report would be presented to both Councils in September to present a draft DT CCA Constitution for acceptance, ahead of formal agreement by the CCA.

The Financial Considerations were outlined in paragraph 9 of the Report, noting that the costs of the public consultation had been shared between Devon County Council and Torbay Council. To support the establishment of the DT CCA in its early stages, the Government would provide £1million of capacity funding over three years: £250,000 in 2024/25, £500,000 in 2025/26 and £250,000 in 2026/27. The creation of the DT CCA would lead, through the delivery of the devolution deal, to additional funding, including the £16 million of capital, being made available to be spent within the Devon and Torbay area on a wide range of services, projects and schemes.

The Impact Assessment had been updated and had been circulated with the agenda. It could be viewed on the website at <https://www.devon.gov.uk/impact/proposed-devon-and-torbay-combined-county-authority-and-devolution-deal>. This recognised that the final proposal had the potential to provide significant benefits to all communities, but specifically for people from the protected characteristic groups and deprived communities. However, this would be dependent on the implementation of the final proposal and the systems and processes that were put in place; and how the DT CCA would address inequality as an integral part of every decision. The

new DT CCA would become subject to the Public Sector Equality Duty under the Equality Act 2010.

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that Cabinet Minute 530 (A - F) setting out the proposed resolution in relation to the Devon & Torbay Combined County Authority and Devolution Deal be approved, as outlined below.

that Council be recommended to;

(a) thank all those who responded to the consultation be thanked, for the time they gave in considering the draft proposal and in preparing responses to it;

(b) consider the analysis of the responses (Appendix A) on the draft proposal for the Devon and Torbay Combined County Authority, showing the variety, breadth and range of views expressed;

(c) approve the proposal (Appendix B) for the Devon and Torbay Combined County Authority (DT CCA) for submission to the Secretary of State for Levelling Up, Housing and Communities, having taken into consideration and having due regard to the consultation responses and the Public Sector Equality Duty;

(d) delegate authority to the Chief Executive, in consultation with the Leader of the Council, to consent to the making of the necessary Regulations to create the Devon and Torbay Combined County Authority thereby implementing and giving effect to the proposal, subject to those Regulations reflecting the principles in the proposal document and this report;

(e) note that, subject to the approval of the proposal and making of Regulations, the Council will give consideration to a draft constitution for the DT CCA in September 2024; and

(f) support the establishment of the statutory Team Devon Joint Committee to formalise the existing partnership, address shared priorities and have a voice in the work of the Combined County Authority and note that its proposed terms of reference will be considered by the Council in September 2024.

The Leader commented that this meeting and Report was an important step in the devolution journey. He outlined the journey so far and also the various steps in the process when deciding on the submission for the Devon and Torbay Combined County Authority to the Secretary of State.

Councillor Leaver then **MOVED** and Councillor Wrigley **SECONDED** that Cabinet Minute 530 (A - F) be amended as follows;

(a) thank all those who responded to the consultation be thanked, for the time they gave in considering the draft proposal and in preparing responses to it;

(b) consider the analysis of the responses (Appendix A) on the draft proposal for the Devon and Torbay Combined County Authority, showing the variety, breadth and range of views expressed;

(c) ~~that Council defers any decision to approve a Proposed Devolution Deal until September 2024: approve the proposal (Appendix B) for the Devon and Torbay Combined County Authority (DT CCA) for submission to the Secretary of State for Levelling Up, Housing and Communities, having taken into consideration and having due regard to the consultation responses and the Public Sector Equality Duty.~~

(d) delegate authority to the Chief Executive, in consultation with the Leader of the Council, to consent to the making of the necessary Regulations to create the Devon and Torbay Combined County Authority thereby implementing and giving effect to the proposal, subject to those Regulations reflecting the principles in the proposal document and this report, **following approval by Council of a fully worked up proposed Devolution Deal;**

(e) note that, subject to the approval of the proposal and making of Regulations, the Council will give consideration to a draft constitution for the DT CCA in ~~September 2024~~ **February 2025; and**

(f) support the establishment of the statutory Team Devon Joint Committee to formalise the existing partnership, address shared priorities and have a voice in the work of the Combined County Authority and note that its proposed terms of reference will be considered by the Council in September 2024.

During the debate a number of points of clarification were sought on the format of Team Devon in the future. The debate also raised issues such as financial considerations of new arrangements, the geography of Devon, cohesive economic plans, democratic deficits with the role of District Council's. Also, the achievements of the Council without a CA model in place as well as the benefits the deal could bring and the long term vision for the County and people of Devon.

The Amendment in the name of Councillor Leaver was put to the vote and declared **LOST**.

*(NOTE: In accordance with Standing Order 32(4) Councillors Adams, Asvachin, Atkinson, Aves, Bailey, Bradford, Brazil, Connett, Cox, Gent, Henderson, Hodgson, Leaver, Letch, Roome, Thomas, Whitton and Wrigley asked for their vote in support of the amendment be recorded in the minutes.*

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

- (a) that all those who responded to the consultation be thanked, for the time they gave in considering the draft proposal and in preparing responses to it;
- (b) that the analysis of the responses (Appendix A) on the draft proposal for the Devon and Torbay Combined County Authority, showing the variety, breadth and range of views expressed, have been fully considered;
- (c) that the proposal (Appendix B) for the Devon and Torbay Combined County Authority (DT CCA) for submission to the Secretary of State for Levelling Up, Housing and Communities, be approved, having taken into consideration and having due regard to the consultation responses and the Public Sector Equality Duty;
- (d) that the Chief Executive, in consultation with the Leader of the Council, be given delegated authority to consent to the making of the necessary Regulations to create the Devon and Torbay Combined County Authority thereby implementing and giving effect to the proposal, subject to those Regulations reflecting the principles in the proposal document and this report;
- (e) that, subject to the approval of the proposal and making of Regulations, the Council will give consideration to a draft Constitution for the DT CCA in September 2024; and
- (f) that the establishment of the statutory Team Devon Joint Committee be supported to formalise the existing partnership, address shared priorities and have a voice in the work of the Combined County Authority and note that its proposed terms of reference will be considered by the Council in September 2024.

*(NOTE: In accordance with Standing Order 32(4) Councillors Bailey, Brazil, Connett, Cox, Leaver, Letch, Roome, Thomas and Wrigley asked for their abstention from voting on the Motion to be recorded in the minutes.*

[NOTES:

*The Minutes of this meeting and of any Committee referred to above are available on the County Council's Website.*

*Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*

*A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-tv/core/portal/home>*

The Meeting started at 10.30 am and finished at 12.14 pm