

COUNCIL

4 October 2018

Present:-

Chair: C Chugg

Vice-Chair: R Hosking

Councillors H Ackland, M Asvachin, Y Atkinson, S Aves, K Ball, S Barker, F Biederman, R Bloxham, J Brazil, E Brennan, J Hook, I Chubb, J Clatworthy, P Colthorpe, A Connett, P Crabb, R Croad, A Davis, A Dewhirst, A Eastman, R Edgell, R Gilbert, G Gribble, I Hall, R Hannaford, J Hart, J Hawkins, L Hellyer, J Hodgson, G Hook, S Hughes, T Inch, A Leadbetter, J Mathews, J McInnes, B Parsons, R Peart, S Randall-Johnson, S Russell, P Sanders, A Saywell, R Scott, D Sellis, M Shaw, C Slade, M Squires, J Trail, P Twiss, C Whitton, C Wright and J Yabsley

Apologies:-

Councillors J Berry, C Channon, B Greenslade, P Prowse, R Radford and N Way

131 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 19 July 2018 be signed as a correct record.

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

132 Announcements

The Chair of the Council reported the sad passing of former County Councillor and Alderman Kathleen Hawkins, who served the Council between 1993 and 1998, representing Torbay Babbacombe ward.

The Chair also paid tribute to all the staff involved in the organisation of the Devon leg of the Tour of Britain, highlighting the numbers of people lining the 175-mile route and that approximately 200,000 people turned out for the event with £4 million of extra spending generated in the County.

The Council also heard about the display in the ante-chamber championing world mental health day and asking Members to sign up as Mental Health Champions. The Chair asked Members to support this and register accordingly.

133 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

134 Public Participation: Petitions, Questions and Representations

The Leader was presented, by Mrs Jones (Chair of the Environment and Transport Sub Committee of Buckfastleigh Town Council) with a petition organised by the Town Council containing approximately 252 signatures relating to 20 mph speed limits in Buckfastleigh.

A second Petition was given to the Leader from Mrs Metcalfe in relation to there being no inbound bus stop between Exminster (Sammerville Way) and Topsham Road, when there was an outbound bus stop on Bridge Road and highlighting the difficulties this presented to local residents.

A third petition was also received from Jill Richards, containing 230 signatures from people in Hulham Road in Exmouth who were requesting speed cameras to be installed to slow down drivers in that road, due to excess speeds.

The Leader indicated that the relevant Cabinet Member or Chief Officer / Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days.

There was no question from a Member of the public.

In accordance with the Council's Public Participation Rules, the Council received and acknowledged oral representations made by Ms Parrish regarding the number of animal deaths on unfenced roads in Devon and within Dartmoor National Park. The Council noted she had started both an online and paper petition to ask that all unfenced roads were brought down to a maximum of 40 MPH.

The Chair thanked the Ms Parris, highlighting that Members had heard her presentation.

135 Petitions from Members of the Council

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

136 Questions from Members of the Council

In accordance with the Council's Procedure Rules, the Leader and relevant Cabinet Members and a Committee Chair provided written responses to 17 questions submitted by Members of the Council relating to School Clearways outside Haytor View School and associated road safety measures, the use of the Sustainable Communities Act 2007 (allowing local authorities to ask Government to remove legislative provisions regarding the improvement of economic, social and environmental well-being of an area), emergency planning in preparation for a 'no deal' Brexit, the Council's Policy relating to the re-marking of disabled bays, school holiday hunger including interaction and hits on the Councils website, the number of children affected, a comparison with other County Council's, any impact on educational attainment and also working with the County Council's network (CCN) and Local Government Association (LGA) to lobby Government to consider a similar scheme as that operated by the Welsh devolved Government.

There were also questions submitted on wellbeing hubs, how many were open in Devon and due to open over the next two years, any extra provision the Council had created to support those who could require advice over the roll out of Universal Credit, the draft Integrated Care Provider (ICP) Contract, Member briefings on the matter and whether the Council would respond to the Consultation, the re-opening of the landfill site at Heathfield and relevant planning conditions, the role of Highways in modifying District Council planning decisions and conditions, the lobbying of the Department for Transport for investment in rail infrastructure in Devon (for example services to Okehampton, reinstatement of the track from Meldon Quarry to Bere Alston via Tavistock, re-doubling the track from Exeter to Salisbury and investment in the Weymouth to Castle Cary line), implementation of the Governments Air Pollution Strategy including local progress and actions and, finally, what extra provision the Council had in place to supply adequate secondary school places with the rising numbers of children of that age.

The Leader and relevant Cabinet Members also responded orally, as appropriate, to any supplementary questions arising therefrom.

[NB: A copy of the questions and answers are appended to the signed minutes and any supplementary questions and answers may be observed through the webcast of this meeting]

137 Cabinet Member Reports

The Council received reports from the relevant Cabinet Members on matters of interest or service developments relating to their remits which had occurred since the previous meeting

or were likely to have an impact in the future or on specific issues upon which they had been asked to comment, as set out below:

(a) Children's Services and Schools

Councillor McInnes reported, as requested by Councillor Hannaford on the Care Leavers Contract and any ministerial direction, highlighting the policy document 'Keep on Caring' to support young people from care to independence and the key policy pledge to introduce a Care Leaver Covenant. This was a pledge from organisations to make concrete commitments to help improve outcomes for care leavers and the Cabinet Member asked Councillors to do all they could to encourage local businesses to be ambitious in what they could offer to support future generations.

In responding to the request to report, from Councillor Hannaford, on the Free Child Care Initiative (30 hours) including figures, provider capacity, parental subsidies etc, the Cabinet Member highlighted that since September 2017, many 3 & 4 year olds of working families had been entitled to the 30 hour per week free childcare extended entitlement (1140 per year) and the Early Years and Childcare Service had provided training, advice and support to settings to encourage them to offer this extended entitlement. The Report gave figures on the uptake and actions taken to support this initiative and that full details of Childcare Sufficiency would be presented in the Report to the Cabinet on 10th October 2018.

He was further asked to report, by Councillor Hannaford, on period poverty in Devon schools, any school days missed and pilots for free universal access, but the Council did not hold data on which schools provided free sanitary products. However, many schools had products available; often via promotional supplies from companies or bought in by the school. Members highlighted various initiatives that supported this issue including food banks, locality grant applications and the [red box project](#).

Councillor Aves had requested a Report (circulated by the Cabinet Member) on child poverty in Devon (in light of a newspaper article published on 17th September) including the levels of child poverty in Devon, numbers over the last ten years and what the Council was doing to reduce child poverty in Devon. The Cabinet Member highlighted that the latest data on child poverty in Devon was available in the [Devon Joint Strategic Needs Assessment](#) (JSNA) and the [Devon Health and Wellbeing Outcomes report](#). This included the relevant numbers and percentages as well as a District breakdown and comparison. The report also included relevant graphs with data on children in low income families (all dependent children under 16) and the percentage of children aged under 16 living in households dependent on benefits or tax credits (1999 to 2015), as well as an assessment of the relationship between child poverty and wellbeing. The Cabinet Member informed the Council of the actions being taken to reduce child poverty in Devon, such as the use of new intelligence resources and new metrics around poverty and also the various strands of work that addressed the issue, for example working with schools, public health interventions, targeted economic development programmes, advice services and benefit awareness campaigns to name but a few. He also agreed to ensure the Health and Wellbeing Board had oversight of this issue.

Councillor Aves requested a Report on what the Council was doing to push further for more Government funding for the High Needs Block of the Designated School Grant (in light of the new Free School (Special School) not being open by September 2018). The Cabinet Member said that Devon continued to seek a change in the Government's way of allocating funding, as funding for the High Needs Block (HNB) had not kept pace with the growth in pupils requiring Education Health and Care Plans (EHCPs) and lobbied on a national level as part of the f40 group (lowest funded 41 Local Authorities) with the Cabinet Member as the Chair-elect (Chair from October 2018). The Report also highlighted the investment in special schools and the opening of new provision with the number of special school places provided in Devon increasing by 12.4% and also the plan to open additional special school places at Charlton Lodge in Tiverton. As Local Authorities could no longer open new schools and final decisions were with the Regional Schools Commissioner Office, there had been a delay with the opening of Charlton Lodge. In addition, a new special school in Newton Abbot was due to

open in September 2020. The Cabinet Member undertook to issue a briefing to Members after his imminent meeting with MP's on school funding.

Councillor McInnes also responded to Councillor Brennan's request to report on the recent 'Everyday Sexism Project' in August 2018 in relation to rape and sexual assault in schools and the lack of guidelines to schools on how to deal with this issue and what action the Council was taking in light of the report, new guidelines or model policies. The Department for Education (DfE) had published new guidance 'Sexual Violence and Sexual Harassment between Children in Schools and Colleges' in May 2018 which gave clear advice to schools about how to deal with this issue as well as the new Keeping Children Safe in Education (September 2018) statutory guidance which provided additional advice to help school and college staff deal with allegations of child-on-child sexual violence and harassment. Babcock LDP had covered this issue in its termly Forums for Designated Safeguarding Leads and in its half termly safeguarding newsletter for schools. The Police also worked with partners including the Council to provide resources to support practice across a wide range of professionals. Moving forward, the Safer Devon Partnership had been successful in a bid for Trusted Relationships funding. The Cabinet Member offered to discuss the matter further outside of the meeting.

Councillor Dewhirst had also asked the Cabinet Member to report on the level of incidence of loneliness in young people, children in care in particular in Devon and what the County Council was doing to mitigate the effects of loneliness. Whilst there was no specific data in relation to children and young people and no present way to measure the incidence of loneliness in children and young people locally, the Cabinet Member referred to a piece of work recently presented to the Health and Wellbeing Board and advised that a campaign around loneliness was being led and supported by the Board with additional work being undertaken on the relationship between indicators of loneliness and health risk profiles and referred to a piece of work by Action for Children who published a report specifically looking into the impact of loneliness in children, young people and families.

He also responded to questions on investment in the Youth Service.

(b) Economy and Skills

Councillor Gilbert reported, as requested by Councillor Hannaford, on the Devon context and the options in relation to various Brexit scenarios, including the fishing industry, an analysis over possible trade deals, asking that consideration of these issues be embedded into strategies and policies including representations to ministers and local MPs. The Report gave a background on the current position with fishing ports, landing tonnages, average wages in the industry and the broader issue of coastal communities and the work of the Council in this regard. Whilst the Council had not undertaken a scenario analysis about the impact of specific Brexit scenarios on the fishing industry, in September 2018, the Council submitted a response to DEFRA's consultation on the future of fisheries policy and highlighted the key points made in this response as well as the importance of Devon's marine environment and the need to ensure that this environment was adequately protected after Brexit.

He also reported on the current position with any unspent EU grant money in respect of the Devon and Somerset allocation as asked for by Councillor Hannaford, highlighting the EU funded programmes, how monies were allocated and the current ERDF position in the Heart of the South West which was out of a total allocation of £53.6m, £21.6 million ERDF had been formally contracted across 17 projects; and 15 proposals with a total value of £28 million were in the business process demonstrating the ERDF programme was 92% committed, or in the pipeline. With the ESF programme, out of a current total allocation of £39.8m, £21.6m had been formally contracted across 12 projects. The ESF programme was 90% committed, or in the pipeline. With the EAFRD position, the programme was fully committed, inclusive of pipeline projects.

In summary, the Cabinet Member highlighted that approximately 93% of EU grant monies were committed and consequently only 7% remained unspent.

He also circulated a Report on the Automated and Electric Vehicles Act 2018 and electric chargepoints and any implications for the Council, as requested by Councillor Atkinson. The Report highlighted that the Council was keeping abreast of developments in both autonomous vehicle technology and were engaged in InnovateUK programmes aimed at trialling ultra-low emission vehicle charging initiatives. The Council was also willing to work with private sector partners to fund, test and develop innovations, ensuring that what was introduced was appropriate in terms of the type of infrastructure installed, accessibility and safety in relation to the highway.

(c) Highways Management

Councillor Hughes commented, as requested by Councillor Hook on the progress with the Wray Valley Trail and the Teign Estuary section of cycleway between Newton Abbot and Teignmouth and also reported on the progress with part 1 claims on the South Devon Highway, as requested by Councillor Dewhirst.

In relation to the Wray Valley Trail, 7km of the 10.5km Wray Valley trail was now complete, given the investment in recent years. The remaining 3.5km was controlled by the Council and only two portions of land remained outstanding. Work was underway to acquire the remaining land and deliver the remaining length of the trail by Summer 2019. Work to develop the Teign Estuary multi-use trail was being progressed in partnership with local stakeholders. From the Passage House Inn to Bishopsteignton, design work was continuing to secure the route, land and planning, however, the section between Bishopsteignton and Teignmouth remained challenging and would require significant levels of funding to be identified, but the Teign Estuary Trail remained a long-term aspiration for the Council. Between Dawlish and Teignmouth an expression of interest for external funding through the Coastal Communities Fund was submitted in May 2018.

In relation to the South Devon Highway, he commented that the Council was expecting to be in a position at the end of the year to have a completed assessment.

(d) Community, Public Health, Transportation and Environment

Councillor Croad circulated a Report, as requested by Councillor Hannaford on the ongoing work to Exeter's flood defences with particular reference to the concerns of local residents and businesses that at some locations work seemed to have slowed or even stopped. The Cabinet Members Report gave the background to the scheme, with phase 1 being substantially completed in October 2016 and Phase 2 which started in June 2016, following planning consent and covered a range of more complicated works and flood structures in six zones extending from Cowley Bridge in the north to Countess Wear in the south. The Report outlined that work in most zones was well advanced or nearing completion, particularly along the right bank of the river from Exwick through to Exe Bridges, but much of the effort was in areas of lower public visibility.

Photographs of works taking place during September 2018 was provided at Appendix 1 to the Report and also reported was the future planned activity for October and beyond.

The Cabinet Member, following a recent Cabinet debate and queries from Members, updated the Council on the current arrangements regarding the provision of bus shelters across the County including the arrangements in Exeter with Clear Channel for the supply and maintenance of bus shelters. For outside of Exeter, the pattern of ownership of bus shelters had evolved over many years and the Council had a specified budget to assist parishes or districts with the installation of new bus shelters on the condition that the parish or district took on maintenance.

138 Minutes

The Chair of the Council **MOVED and it was duly SECONDED** that the Minutes of the under-mentioned meetings of Committees be approved.

Development Management Committee	-	25 July & 19 September 2018
Audit Committee	-	27 July 2018
Appeals Committee	-	3 September 2018
Procedures Committee	-	10 September 2018
Investment & Pension Fund Committee	-	14 September 2018
Children's Scrutiny	-	17 September 2018
Health & Adult Care Scrutiny	-	20 September 2018
Corporate Infrastructure & Regulatory Services Scrutiny	-	25 September 2018

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

139 Scrutiny Call in and Meeting Timescales (Minute 107 of 24th May 2018)

Pursuant to County Council Minute 107 of 24 May 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Connett that:

Members and Officers be reminded that a call in for scrutiny requests the Chief Executive to convene a meeting within five working days of the request being made. Part 4 article 17.4 of the DCC Constitution refers.

Therefore, the County Council confirms that the requirement to convene a meeting to consider a call in be strictly adhered to unless those members requesting a call in agree to an alternative way of dealing with a call-in request.

and having had regard to the advice of the Procedures Committee as set out in Minute 43 of 10th September 2018 that there had been no breach of the Council's Standing Orders and that the meeting had been arranged in line with those Standing Orders, there was no requirement to amend the current processes.

Councillor Chugg **MOVED** and Councillor Hart **SECONDED** that the advice of the Procedures Committee be accepted and that no further action be taken on the Notice of Motion.

The amendment in the name of Councillor Chugg was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

140 Outsourcing and Devon County Council Contracts (Minute 124 of 19th July 2018)

Pursuant to County Council Minute 124 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

This Council is concerned that outsourcing Devon County Council (DCC) contracts can reduce financial flexibility and the ability to respond to changes in policies and facilitate effective cross department working across interrelated DCC services in complex areas like the health and wellbeing of children. Accordingly, DCC can no longer afford to be locked into long term, difficult if not impossible to vary contractual schemes for services like Children and Mental Health if it wishes to remain responsive to the needs of Children from birth to age 25.

In view of cross party concern to fully and effectively integrate cross department working in children's health and mental health services and education Devon County Council should bring back key services in-house and manage them in the wider public interest including value for money (defined broadly to include effects on public revenues and community wellbeing at large) and social value tests.

and having had regard to the advice of the Cabinet set out in Minute 226(a) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that no further action be taken on the Motion, but the Council be asked to note the continued commitment and investment in joint arrangements for the commissioning of mental health services for children. The Council will continue to use its influence as a key partner in strategic and commissioning arrangements to further improve mental health services for children.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

(In accordance with Standing Order 32(4) Councillors Dewhirst, G Hook and J Hook asked that their vote against Councillor Harts motion be recorded).

141 Badger Culling and County Council Property (Minute 125 of 19th July 2018)

Pursuant to County Council Minute 125 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson:

The Council will not permit badger culling to take place on property owned by the County Council and calls for the badger cull to be ended throughout Devon; due to the scientific consensus that it is ineffective and is therefore cruel and unnecessary.

The Council calls on DEFRA to begin a nationwide vaccination programme of badgers, which initial studies show to be highly effective in preventing the spread of bTB.

With the TB vaccine becoming available again, the Council calls on the government to instead invest in the development of cattle vaccine, more effective TB tests and introduce other measures to improve farm biosecurity as a vital part of effectively controlling bTB such as effective cattle movement controls

The Council calls on all governments, present and future, to not authorise badger culls for the purpose of controlling the spread of bTB, unless there is overwhelming scientific evidence showing the potential cull to be effective and necessary.

and having had regard to the advice of the Cabinet set out in Minute 226 (b) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted that the content of the Notice of Motion be noted as well as the activities of Government continuing to widen the scope for culling zones across the country (as currently the most likely effective solution), and that there are continuing trial vaccinations taking place. The Council are not able to prevent County Farm tenant's from participating in a licenced and lawful cull.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

(In accordance with Standing Order 32(4) Councillors G Hook and J Hook asked that their vote against Councillor Harts motion be recorded).

142 Dorset and East Devon National Parks (Minute 126 of 19th July 2018)

Pursuant to County Council Minute 126 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Shaw that:

This Council supports the establishment of a Dorset and East Devon National Park and resolves to submit a case for this to the DEFRA review of national parks.

and having had regard to the advice of the Cabinet set out in Minute 226(c) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted in that the Council welcomes the work of the independent panel in undertaking its review of National Parks and AONBs and, based on the significance and extent of these nationally protected landscapes in Devon, invites it to visit Devon and draw on the experience of this Authority and others involved in the management of these areas; and that the Council defer any expression of support for the establishment of a Dorset and East Devon National Park unless or until the overriding benefit of this approach to Devon's wider interests is clearly demonstrated.

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

Councillor Hannaford then **MOVED** and Councillor Biederman **SECONDED** that the Motion be amended by the addition of the following sentence after the word 'demonstrated'.

'That the establishment of any new national park should come with additional funding.'

The amendment in the name of Councillor Hannaford was then put to the vote and declared **CARRIED**.

The Motion in the name of Councillor Hannaford was then put to the vote and declared **CARRIED**.

143 Road Repairs and Skanska Contract (Minute 127 of 19th July 2018)

Pursuant to County Council Minute 127 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hook that:

The quality of road repairs since Skanska took on the contract has reached a new low. Certainly, that is the case in Newton Abbot. Consequently, officers will make early recommendations to Cabinet for immediate improvements in the quality of workmanship. These recommendations to include more frequent quality control inspections and the imposition of financial penalties for inadequate work, demonstrated by the need to return to any given pothole or equivalent piece of work within a 6 month period.

and having had regard to the advice of the Cabinet set out in Minute 226(d) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted in that Council be advised that a Scrutiny Task Group has been established by the Corporate Infrastructure & Regulatory Services Scrutiny Committee, and that the outcomes from that review are considered by Cabinet when they are available.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

144 Community Hospital Buildings (Minute 128 of 19th July 2018)

Pursuant to County Council Minute 128 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Wright that:

This Council notes the millions of pounds that local communities have invested into their community hospitals over many years, across Devon.

This Council appreciates how much local people care about their hospitals, about retaining beds in those hospitals that still have them and about retaining health services in those that have lost their beds.

This Council acknowledges that the strong feeling that is present in many communities in Devon about the retention of community hospital buildings where beds have been closed.

This Council strongly supports the retention of all Devon community hospital buildings for the provision of health and social care services and will strongly oppose any plans to declare any community hospital building surplus to requirements.

and having had regard to the advice of the Cabinet set out in Minute 226(e) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that Council note this is a matter for the NHS, but the Council will work in partnership to influence decision making appropriate to individual circumstances, including population need and the quality of building.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED**

Councillor Shaw then **MOVED** and Councillor Wright **SECONDED**

That after the words 'That Council' insert 'welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore'.

That the words 'be asked to note that' be replaced with 'while'.

The word 'but' be deleted; and

replace all words from the word 'appropriate' and insert text: 'in the direction of retaining all community hospitals to be used as health and wellbeing centres for their areas.'

The amended motion to read (new text in red):

*That Council **welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore** while this is a matter for the NHS, this Council will work in partnership to influence decision making **in the direction of retaining all community hospitals to be used as health and wellbeing centres for their areas.***

Councillor Biederman **MOVED** and Councillor Wright **SECONDED** that, in accordance with Standing Order 32, the vote on the amendment in the name of Councillor Shaw shall be by a roll call vote.

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

The amendment in the name of Councillor Shaw was then put to the vote and declared **LOST**.

(In accordance with Standing Order 32(4) Councillors Ackland, Atkinson, Aves, Asvachin, Brennan, Hannaford, Hawkins and Whitton asked that their vote for Councillor Shaw's amendment be recorded).

Councillor Hart then **MOVED** and Councillor McInnes **SECONDED** that the Motion be amended to incorporate the words from the failed amendment and the addition of words 'where appropriate'. To read as follows.

*That Council welcomes the statement by the Health Secretary at the Conservative Party Conference that "the era of blindly, invariably closing community hospitals is over" and therefore while this is a matter for the NHS, this Council will work in partnership to influence decision making in the direction of retaining all community hospitals, **where appropriate**, to be used as health and wellbeing centres for their areas.*

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and thereafter as the substantive motion.

145 Universal Credit (Minute 129 of 19th July 2018)

Pursuant to County Council Minute 129 of 19th July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson:

Universal Credit is due to be rolled out in Devon in September. The National Audit Office has concluded in its recent report that Universal Credit has not delivered value for money and it is uncertain if it ever will.

The NAO has "significant doubts" about the DWP's expected savings. Universal Credit currently costs £699 per claim, which is four times as much as the DWP intends for it to cost when the systems are fully developed, the report said.

Local and national bodies, as well as claimants, showed the NAO evidence of people suffering hardship during the rollout of the full UC service. The report said: "These have resulted from a combination of issues with the design of Universal Credit and its implementation. The department has found it difficult to identify and track those who it deems vulnerable. It has not measured how many Universal Credit claimants are having difficulties because it does not have systematic means of gathering intelligence from delivery partners."

Its survey of full service claimants, published in June 2018, the department found that four in ten claimants that were surveyed were experiencing financial difficulties."

The report said that while it recognises the "determination and single-mindedness" with which the DWP has "driven the programme forward to date, through many problems" local and national organisations have raised issues and the department does not accept that UC causes hardship among claimants "because it makes advances available and believes that if claimants take up these opportunities hardship should not occur".

There are serious problems with the system's design and implementation. People need better support to make claims and should not be left without enough money to live on. It is unhelpful that the government reduces 40% from people's benefits to pay back a loan given to them to survive the month long gap before they receive their first payment."

The Council is urged to write to the DWP to ask what its plans are for making sure that the claimants in Devon do not suffer hardship in the changeover and to ensure that claimants can get the advice and support from the DWP and independent agencies.

and having had regard to the advice of the Cabinet set out in Minute 226(f) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that the spirit of the Notice of Motion be welcomed and that the Council supports the overall aims of Universal Credit as described in the briefing note circulated to the Cabinet (CSO/18/25). The Council recognise that Universal Credit is a very complex programme and that the Department of Work & Pensions is working to address the problems highlighted in the National Audit Office's report; and will continue to support the DWP, JobCentrePlus, Devon's District Councils, Devon Citizens Advice and many other organisations in providing advice and support to claimants as Universal Credit is rolled out in Devon.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

146 Environmental Protection (Minute 130 of 19th July 2018)

Pursuant to County Council Minute 130 of 19 July 2018 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Wright that:

This Council shares the government's desire to leave our environment in a better state than it is now.

But its proposals are unlikely to achieve that ambition. They will leave the environment with weaker protection than it currently has under our EU membership - a long way off the 'world-leading watchdog' it promised.

To deliver the protection the environment needs, this council calls on the government to ensure that the proposed new law, must at least:

- *Deliver world-leading environmental governance, including the watchdog promised, with powers that are at least as strong than any other environmental watchdog in the world, which any citizen can complain to for free.*
- *Deliver a watchdog which will investigate all breaches of environmental law by any part of government, including reviewing and challenging significant, strategic or nationally important planning and infrastructure decisions, robustly enforce the law including through fines and legal action, and ensure public bodies act to ensure damage is restored.*
- *Put environmental principles into law, not just policy. These principles should include at a minimum, those environmental principles found in the EU treaties (for example, that principle that polluters should pay to rectify damage they cause), but the bill should allow for the addition of new principles where appropriate.*
- *Set legal targets for nature's recovery, against which this and future governments will be held to account, to ensure long-term action that will leave the environment in a better state.*

- *Work with other countries, in a transparent way, to co-develop and co-design environmental governance arrangements and secure our existing environmental principles.*

This Council recognises the huge importance of the Devon environment – both for local residents and visitors who will support the local economy, as well as the wildlife, and urges government to listen to environmental organisations such as the RSPB and significantly strengthen proposals to meet its own strong ambitions for nature's recovery.

and having had regard to the advice of the Cabinet set out in Minute 226(g) of 12 September 2018:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's amendment be accepted and that Council endorse the spirit of the Notice of Motion, noting that appropriate action is already underway to promote the adoption by Government of strong, new environmental policies and enforcement following Brexit, plus new approaches to improving this Authority's own environmental performance in line with the 25 Year Environment Plan.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

147 Devon and Cornwall Police and Dorset Police Merger

Councillor Atkinson **MOVED** and Councillor Hannaford **SECONDED** that in accordance with Standing Order 6(6), the Notice of Motion submitted by Councillor Atkinson be considered at this meeting.

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

Councillor Atkinson then **MOVED** and Councillor Hannaford **SECONDED**, as amended below and with the consent of the Council.

Since 2015, Devon & Cornwall Police and Dorset Police (DC&D) have been working together through a 'Strategic Alliance'. Operational police departments such as Operations, Roads Policing and Prevention as well as 17 other business areas are already operating across the three counties with a further 11 departments currently going through changes which will see them aligned.

The Chief Constables of DC&D Police recently announced their intention to explore a voluntary merger of the two forces. There are no recent examples of successful voluntary mergers of police forces.

Work is now underway to develop a business case for the merger for submission to the Home Office in October 2018, with a decision expected in January 2019.

- *The PCC commenced a public engagement programme across the three counties in August which ended on 28th August, the full business case was not be shared with stakeholders or the PCP before the end of this consultation.*
- *It is understood that at a PCP meeting on 5th October some of the business case may be shared with the PCP before its submission to the Home Office.*
- *DCC had not formally been consulted and this has not been discussed at DCC cabinet or Scrutiny Committee*

The proposed merger will impact funding and on Council Tax across Devon A much higher proportion of Devon and Cornwall's total funding (61.5%) comes from government. Only 53% of Dorset's funding comes from government and a higher proportion comes from the police precept element. Overall, government funding is

more per head for Devon and Cornwall (£103) than Dorset (£85). This would fall to £97.6 per head for a combined force. Having received minimal information regarding the financial impact or benefits of the potential merger, it is difficult to know whether current levels of funding, alongside the substantial reserves held by both forces, would prove sufficient to underwrite any additional costs arising from the merger of the force areas. This is particularly relevant in attempting to understand how the additional 430 police officers or staff would be funded as a result of the merger. At the moment, tax payers in Dorset in an average Band D property pay around £18 a year more for their policing than householders in Devon and Cornwall. Legally, the levels of police precept for both areas must be harmonised for the merger to take place. Will Dorset rates be harmonised down to the Devon and Cornwall level? This seems to have been ruled out. Another proposal is that the rate for Devon and Cornwall will be increased to the Dorset level to fund extra police officers. The estimated increase would mean an extra payment of £1-3 per month (£18 per year) for average Band D residents in Devon and Cornwall.

This motion proposes that the

- Council writes to the PCC to request that the full business case is sent to DCC for its comments before any proposal is submitted to the Home Secretary;
- Council opposes the merger on information it currently has available to it that it will mean an increase of £18 per year council tax for average Band D residents in Devon and Cornwall and writes to the PCC and if appropriate the Home secretary with its views;
- Council censures the PCC in relation to her consultation on the merger as the stakeholder consultation was carried out while important local authority stakeholders were in summer recess and without the business case being made available to stakeholders so that the no meaningful consultation could take place.

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

148

Children's Bed Poverty

Councillor Hannaford **MOVED** and Councillor Aves **SECONDED**;

More children are living in poverty than at any other time in the past ten years, with 4.1 million children across the UK living below the headline.

Shockingly its thought that there are over 400,000 children in the UK who do not have a bed of their own.

Without somewhere to rest their head, bedtime routines become difficult, stress levels rise , and getting a good night's sleep is often near to impossible.

Furthermore educational performance deteriorates and safeguarding risks rise.

Over the last five years, Dreams Beds has provided Buttle UK with nearly 10,000 children's beds to donate to those families in desperate need — more than ever before.

With the number of beds that they supplied during those five years rising by 77 per cent.

We applaud the work of this charity, and businesses, social enterprises, church groups , and others across the country in trying to tackle this national scandal.

As corporate parents with a duty of care to all of Devon's children , we resolve that the council formally writes to The Rt Hon. James Brokenshire MP, the Secretary of

State for Housing, Communities and Local Government, and our local members of Parliament, to highlight this issue, and call for serious consideration to be given for a national grants scheme, that allows those in need to apply for help and assistance, to put an end to children's bed poverty.

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

[NOTES:

Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by Rev Phil Waites.

The Minutes of this meeting and of any Committee referred to above (together with minutes of the Council's Cabinet, Health & Wellbeing Board and Pension Board which while not part of the formal Agenda of this meeting 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-i.tv/core/portal/home>]*

The Meeting started at 2.15 pm and finished at 5.18 pm

