

## COUNCIL

23 May 2019

### Present:-

Chair: C Chugg

Vice-Chair: R Hosking

Councillors H Ackland, M Asvachin, S Aves, K Ball, S Barker, J Berry, F Biederman, R Bloxham, J Brazil, E Brennan, J Hook, J Brook, C Channon, J Clatworthy, P Colthorpe, A Connett, P Crabb, R Croad, A Davis, A Dewhurst, A Eastman, R Edgell, R Gilbert, B Greenslade, 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, P Prowse, R Radford, S Randall-Johnson, S Russell, P Sanders, A Saywell, R Scott, D Sellis, M Shaw, C Slade, M Squires, J Trail, P Twiss, N Way, C Whitton, C Wright and J Yabsley

### Apologies:-

Councillors Y Atkinson and I Chubb

## 189 Election of Chair

Councillor Gribble **MOVED** and Councillor Twiss **SECONDED** that Councillor Mathews be elected Chair of Devon County Council for the ensuing year.

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

COUNCILLOR MATHEWS IN THE CHAIR

The Chair and Group Leaders expressed their gratitude to the immediate past Chair for her service during her year of office: Councillor Chugg responded.

## 190 Appointment of Vice Chair

Councillor Radford **MOVED** and Councillor Slade **SECONDED** that Councillor Squires be appointed Vice Chair of Devon County Council for the ensuing year.

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

The Chair, immediate past Chair and Group Leaders thanked the immediate past Vice-Chair for his services and support to the former Chair during his year of office. Councillor Hosking responded.

## 191 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**.

**192      Cabinet Members and Allocation of Remits**

Councillor Hart, the Leader of the Council, **MOVED** and Councillor Hughes **SECONDED**:

*"that the Council note that the Members shown in the Appendix circulated at the meeting 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 2020".*

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

**193      Minutes**

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 21 February 2019 be signed as a correct record.

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

**194      Announcements**

The Chair of the Council congratulated those involved in the double award success by the team behind the reinstatement and realignment of the A379 at Slapton as the scheme has been recognised at the recent Chartered Institution of Highways & Transportation (CIHT) awards, scooping the Transport Project of the Year Award and the Transportation Environment Award. It was praised for the speed at which funding, planning, design and construction took place, which was all the more impressive given the environmental sensitivity of the area.

He then paid tribute to the hard work of the Devon Audit Partnership Counter Fraud Services Team. They had won the 'prevent' category in the 'fighting fraud and corruption locally' awards for 2019. The standards had been very high and the work in 'preventing' fraud and supporting the Local Government Counter Fraud and Corruption Strategy was recognised.

Another good news story reported by the Chair was the #WeAreDevon marquee winning a Gold Medal Award at the 2019 County Show for the 'Most Attractive Stand – Class 3'. Some of the activities in the marquee indicated it was a very successful year, for example the refill station helped eliminate waste from over 2,000 disposable plastic bottles, 1,222 people signed a Refill Devon pledge, 150 blood pressure checks were taken, over 200 people signed up to the NHS organ donation register, 100 pre-school books were given away to youngsters by Libraries Unlimited and nearly 600 people had conversations with the Council's healthy lifestyle service (One Small Step) about their health and wellbeing.

The Chair also informed Members about Devon Digital Lives which was a new project where the Council offered its staff as 'Devon Digital Lives volunteers' so they could provide relevant support on matters such as using email and / or social media or paying bills online. The Council heard that a lack of basic digital skills meant that many people were disadvantaged and that digital exclusion could lead to poorer health, a lower life expectancy, increased loneliness and social isolation, and less access to jobs and education. Members were also encouraged to be part of the scheme, given their unique position of community leaders to use any digital skills for the benefit of others in their communities.

**195      Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

196

**Appointment of Committees**

Councillor Hughes **MOVED** and Councillor Hannaford **SECONDED**:

*(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 at the meeting with terms of reference set out in the Council's Constitution or set out therein for the period expiring at the date of the Annual Meeting of the Council in 2020;*

*(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 at the meeting;*

*(c) that, and 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 at the meeting for the period expiring at the date of the Annual Meeting of the Council in 2020;*

*(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;*

*(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 2020 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.*

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

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**Appointment of Chairs and Vice-Chairs of Committees**

Councillor Hughes **MOVED** and Councillor Way **SECONDED**:

*"that Members shown in the Appendix circulated at the meeting be appointed Chair's and Vice-Chair's of Committees as indicated therein to hold office until the date of the Annual Meeting of the Council in 2020".*

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

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

The Leader was presented, by Mr Banks, with a petition containing approximately 1200 signatures relating to the Motion on the agenda in the name of Councillor Hodgson on Community Waste Reduction and Recycling Organisations.

The relevant Cabinet Member or Head of Service would be asked to respond direct to the petitioner on the issues raised, within 15 days.

In accordance with the Council's Public Participation Rules, the Leader and relevant Cabinet Members responded to 9 questions from members of the public on CO2 emissions and transportation and progress on Council projects that would support CO2 reduction, the Council's commitment to the Climate Emergency Declaration and the immediate and long term strategies for information dissemination, how much energy the Council currently generated from renewable energy installations on its land and buildings, the quantity of carbon dioxide emitted annually from waste collected by the South West Devon Waste Partnership and incinerated at Devonport, the ambition to become carbon neutral and whether this related to the whole of Devon or just Devon County Council, reconsideration of the 2050 target date for carbon-neutral and other Councils' targets, which carbon emission reduction targets the County Council were considering delivering by 2025, the role of the Climate Impacts Response Group and how quickly it might show results and the date for the drafting and adoption of a Climate Action Plan to cut local carbon emissions.

The Leader and Cabinet Members also responded orally to supplementary questions arising from the above.

A copy of the questions would be sent to those members of the public, who were not present at the meeting.

In accordance with the Council's Public Participation Rules, the Council received and acknowledged an oral representation made by Mr Whitehouse on climate change, following recent declarations by the Committee on Climate Change (CCC) and by Parliament.

The Chair thanked the Members of the public for their questions and representations.

*[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=132&Year=0> and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]*

## **199      Petitions from Members of the Council**

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

## **200      Questions from Members of the Council**

In accordance with the Council's Procedure Rules, the relevant Cabinet Members provided a written response to one question submitted by a Member of the Council relating to the Windrush Scandal and whether any Devon residents had been affected.

The Cabinet Member responded orally to the supplementary question arising from the above.

*[NB: See also responses to Questions referred to at Minute 198 above. 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 – see Notes below]*

## **201      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)      Community, Public Health, Transportation and Environment**

Councillor Croad commented, as requested by Councillor Hannaford on the Knife Crime Public Health Consultation including current statistics and trends for knife related crime in the area, recent knife amnesty results, links to organised crime and county lines, and what the Council's official response to the consultation would be.

The Cabinet Member referred to the Government's Serious Violence Strategy in response to rises in knife crime, gun crime and homicide and some of the risk factors that could impact on an individual's vulnerability to becoming either a victim or perpetrator of serious violence. The Government was also consulting on a potential new legal duty on specific organisations to support a multi-agency approach to preventing and tackling serious violence. Views were being sought to inform the Council's response.

The consultation consisted of three options:

1. A new duty on specific organisations to have due regard to the prevention and tackling of serious violence (similar to the PREVENT duty);
2. A new duty through legislating to revise Community Safety Partnerships (to ensure they had a strategy for preventing and tackling serious violence); and
3. A voluntary non-legislative approach (to encourage areas to adopt voluntary measures to engage in a multi-agency approach instead of, or to complement introducing a new statutory duty).

The Government's stated preference was Option One.

In terms of data, locally there was evidence of a small increase in knife-related activity in certain pockets of the peninsula, but there did not appear to be evidence of any widespread large-scale increases.

The participation of Devon and Cornwall in the national knife amnesty (11 – 17 March 2019) led to 367 knives and bladed items being handed in to police.

#### **(b) Children's Services and Schools**

Councillor McInnes circulated a report as requested by Councillors Biederman on the recent Ofsted focused visit of Children's Services and the immediate actions taken and required in response to their Report and also provided a verbal update, as requested by Councillor Hannaford, on the Steiner School (Exeter).

In response to the Ofsted focused visit, the Cabinet Member highlighted that 'Focused Visits' were part of the new Inspection Framework for Local Authority Children's Services (ILACS), designed to support improvement. He highlighted that most Local Authorities were weakest in the area of Children in Need and Child Protection.

Senior leaders had responded quickly and with appropriate rigour, realigning service priorities and the immediate strengthened management information to eliminate knowledge gaps. A period of accelerated improvement focusing on key areas of practice was underway and would remain in place until the full ILACS took place. Quality assurance activity was being significantly tightened and additional resources being put into this. The Focused Visit letter would be published on 28th May 2019 and reported to the June Children's Scrutiny Committee with the accompanying updated Improvement Plan.

The Cabinet Member also referred to his Report at the last Council meeting on the Ofsted and the Care Quality Commission (CQC) joint inspection of Devon to judge the effectiveness of implementing the special educational needs reforms conducted between 10 and 14 December 2018. The improvement plan was currently being considered by Ofsted and would be published in June.

He also commented on the Steiner School which had been subject to an Ofsted inspection, the outcome of which had found the School to be 'inadequate'. He highlighted the support mechanisms for the school in helping them to move forward both from the Council and other agencies including the Regional Schools Commissioner and the Ted Wragg Trust. There were ongoing discussions with the Secretary of State on the future sponsorship of the academy. Ofsted also continued to make visits to the school.

## 202 **Minutes**

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

Investment & Pension Fund Committee	-	22 February 2019
Audit Committee	-	27 February 2019
Public Rights of Way Committee	-	4 March 2019
Standards Committee	-	4 April 2019
Procedures Committee	-	17 April 2019
Appeals Committee	-	13 May 2019
Children's Scrutiny	-	18 March 2019
Health & Adult Care Scrutiny	-	21 March 2019
Corporate Infrastructure & Regulatory Services Scrutiny	-	26 March 2019

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

## 203 **Scrutiny Annual Report 2018/2019**

The Council received and endorsed the 2018/19 Annual Report summarising the activities and investigations undertaken by each of the Council's three Scrutiny Committees during the course of the year, the outcomes arising and the continuing challenges and development of the Scrutiny role over that period.

As well as ten reviews, more than twenty visits to frontline services, there was also a National Conference with more than seventy delegates, the message from the day being that the environment for Scrutiny was paramount to enable meaningful impact.

The Report highlighted that assessing the impact of Scrutiny was not always easy, but by developing a reputation based on robust questioning and examination, good Scrutiny helped decision makers make more informed and accountable decisions. Over the past 12 months, tangible changes in Council policy and practice had taken place as a direct result of Scrutiny recommendations or direction.

The Chair of the Corporate Infrastructure and Regulatory Services Scrutiny Committee paid tribute, on behalf of the Chairs of Scrutiny Committees, to the efforts of all Members involved in the work of those Committees and Task Groups and to the support provided by Officers to facilitate the work of Scrutiny in Devon; advocating the continuing value of a strong, independent, Scrutiny function to advise the Council. The other Scrutiny Committee Chairs endorsed those remarks.

In associating himself with the above remarks the Leader of the Council also expressed his thanks to the Council's Scrutiny Committees for the advice they had given to the Cabinet over the last year.

[NB: A copy of the Annual Report was available on the [website](#))

**Public Health (Minute 186 of 21 February 2019)**

Pursuant to County Council Minute 186 of 21 February 2019 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Connett that:

*Devon County Council notes:*

- *the vital role played by Public Health in helping Devon residents to lead healthier lives by, for example, avoiding diseases, unwanted pregnancies, support to stop smoking, and eating better;*
- *with grave concern the announcement of a further £85m cut to the Public Health Budget, as one of 12 Ministerial statements published by the Government on the last day of the Parliamentary term before Christmas, only weeks after the Secretary of State for Health described prevention as his priority; and*
- *this is on top of cuts to the Public Health budget announced since Summer 2015, now totalling just over £600 million.*

*This Council meeting further notes:*

- *the comments of the Health Foundation, who described these cuts as a false economy and who have calculated that an additional £3bn a year is required to reverse the impact of government cuts to the Public Health grant to date and have called for this increased budget to be allocated according to need;*
- *the warnings from the King's Fund that such cuts could put pressure on councils to cut non-statutory sexual health prevention services, which could lead to more sexually transmitted infections and unplanned pregnancies; and*
- *this Council believes that our Public Health team perform vital work to help keep the residents of Devon healthy and to avoid more costly admissions to hospital and other interventions by our NHS and that this should be properly funded by central Government.*

*This Council meeting resolves to:*

- *thank our Director of Public Health and her team for the great work they do across Devon despite continued financial challenges;*
- *condemn the Government's use of the time just before Christmas to make announcements such as this;*
- *call on the Leader of the Council and the Cabinet Member to consider carefully the required cuts to services will be implemented; and*
- *ask the Leader and Chief Executive to write to the Secretary of State for Health, calling on the Government to deliver increased investment in Public Health and to support a sustainable health and social care system by taking a "prevention first" approach.*

and having had regard to the advice of the Cabinet set out in Minute 13 of March 2019:

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted and that the Council:

- (a) be asked to endorse the work of the Director of Public Health and the team in managing the Public Health Grant cuts and the challenges that this causes for improving the health of the population by thinking and working innovatively and creatively with wider partners to support improved outcomes;
- (b) note that Budget announcements are known to arrive at this time of year and there will be transparency about the implications of that budget as part of the Council's budget setting process;

(c) note that the budget has been set for 2019/20 and no reductions are currently planned or required as the budget reductions have been managed over time and were reported as early as 2016 and that impact assessments will also continue to be undertaken; and

(d) be asked to write to the Secretary of State for Health and Social Care seeking increased investment in Public Health and assurance that the investment in prevention in the NHS will support primary prevention and early intervention as well as secondary and tertiary prevention.

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.

## **205      Saint Boniface - Patron Saint of Devon (Minute 187 of 21 February 2019)**

Pursuant to County Council Minute 187 of 21 February 2019 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Way that:

*There is increasing interest in Crediton-born Winfrith, who became Saint Boniface, being recognised as Patron Saint of Devon. The Boniface Link Association is a secular organisation campaigning for the adoption of Boniface as Patron Saint of Devon. With links to Fulda in Germany and Dokkum in Holland, this initiative has gained letters of support from many churches and prominent civic figures from across the county.*

*Devon's most famous native-born saint, Boniface was born in the Crediton area circa 680AD. He is highly regarded for his missionary work across a large part of Europe. A significant historical figure he is often referred to as the First European. He studied at the monastery at Exeter, then at the monastery at Nursling, near Southampton.*

*In 716 he set sail to convert the tribes in Frisia (now Friesland) in the Netherlands to Christianity. Subsequent work in Frisia and Hesse gave him a reputation as an outstanding missionary and administrator. In 722, Pope Gregory made him Bishop of all Germany East of the Rhine. Much of his later work laid the foundations of Charlemagne's Holy Roman Empire 50 years later. In 754 he was martyred at Dokkum and buried at Fulda in Hesse.*

*The national shine to Boniface is at the Roman Catholic church at Crediton and the many references to him in Crediton's Parish church attract visitors to the town. A blue plaque can be seen at Tolleys, Crediton traditionally regarded as his birth place. An impressive statue of St Boniface is located at Newcombes Meadow.*

*Proud of Devon's heritage and recognising Boniface as a significant historic figure this Council supports the initiative to adopt Saint Boniface as Patron Saint of Devon.*

and having had regard to the advice of the Cabinet set out in Minute 319 (b) of 13 March 2019, the Council:

- (a) note the work of the Boniface Link Association (Crediton) and also the mechanism by which Boniface is honoured in the national church calendar on 5th June;
- (b) note the anticipated announcement by the Bishop of Exeter about an initiative that honours and commemorates St Boniface; and
- (c) supports the work of the Boniface Link Association in working towards the adoption of St Boniface as the patron saint of Devon and in line with the letters of support received from the Bishop of Plymouth, Bishop of Exeter, Senior Pastor at Crediton Congregational

Church, Crediton Methodist Church and Rector of the Orthodox Parish of the Holy Prophet Elias, also lends it support to the Notice of Motion.

Councillor Hart **MOVED** and Councillor McInnes **SECONDED** that the Cabinet's advice be accepted, as outlined above and that the Council lends it support to the work of the Boniface Link Association.

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

## 206 **Parental Leave Policies and Councillors (Minute 188 of 21 February 2019)**

Pursuant to Procedures Committee Minute 60 of 17 April 2019 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Atkinson that:

*This Council notes:*

- *that analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of councillors in England are women, up 1% since 2017.*
- *that across England, Labour has improved its representation of women, with 45% women compared with 40% in 2014, and the Liberal Democrat's representation is up from 34% to 36% whilst the Conservative Party saw a fall from 31% to 29% in the share of its councillors who are female;*
- *that as of the 2017 DCC elections, only 18 out of 60 county councillors are women. Only three women were under 45 years of age*
- *as of summer 2017, only 4% of councils in England and Wales have parental leave policies, according to research by the Fawcett Society;*
- *that the role of a councillor should be open to all, regardless of their age or background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become councillors, and is also a step to encourage existing councillors who may want to have more children to remain as councillors;*
- *that parental leave must apply to parents regardless of their gender, and that it should also cover adoption and fostering leave to support those who choose to adopt and foster.*
- *As there are County Council elections in 2021 the Council needs to review its policies with a view to encouraging prospective people who may be interested in standing for the County with a view to improving a wider range of people of younger age and gender to better reflect the Devon Community*

*This Council resolves:*

- *to refer to the Procedures Committee this motion to consider whether to recommend the adoption of the attached parental leave policy (see below) to give all councillors an entitlement to parental leave after giving birth or adopting and fostering; and*
- *to ensure that councillors with children and other caring commitments are supported as appropriate.*

### Parental Leave Policy for Councils

#### *Introduction*

*This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.*

*The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take*

*leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.*

*Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.*

*There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as Councillors, and has been the subject of lengthy debate. Legal advice has been taken on these policies, and they conform with current requirements.*

### **1. Leave Periods**

*1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.*

*1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.*

*1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.*

*1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).*

*1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.*

*1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.*

*1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.*

*1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.*

*1.9 Any Member intending to take maternity, paternity, shared parental or fostering/adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.*

*1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues*

*informed and updated in relation to intended dates of return and requests for extension of leave.*

## *2. Basic Allowance*

*2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.*

## *3. Special Responsibility Allowances*

*3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.*

*3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.*

*3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.*

*3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.*

*3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.*

## *4. Resigning from Office and Elections*

*4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.*

*4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.*

and having had regard to the advice of the Procedures Committee set out in Minute 60 of 17 April 2019:

(a) that the Procedures Committee endorse the proposal of a parental leave policy for Members of the Council as a means of supporting those with caring and parental responsibilities and also to encourage more individuals from a range of backgrounds to stand for election; and

(b) asks the Independent Allowances Panel to formulate a scheme, with reference to both the model policy submitted as part of the Motion (prepared by the LGA Labour Women's Task Force) and also the model scheme recently circulated by the Chair of the Conservative Party, taking account of any best practice in other Local Authorities.

Councillor Mathews **MOVED** and Councillor Hart **SECONDED** that the Procedures Committee's recommendation be accepted, as outlined above, and the Independent Allowances Panel be asked to formulate a scheme.

The Procedures Committee's recommendation in the name of Councillor Mathews was then put to the vote and declared **CARRIED** and subsequently thereafter also **CARRIED** as the substantive motion.

## 207 **Free Personal Care**

Councillor Biederman **MOVED** and Councillor Shaw **SECONDED**;

*Devon County Council notes that over a million older people in England are struggling with unmet care needs and believes that in light of an ageing population we need bold changes to deliver a long term funding solution for social care.*

*Devon County Council believes that it is fundamentally unfair that to access basic care many older people face catastrophic costs that can run into hundreds of thousands of pounds, wipe out a lifetime of savings, and force families to sell their homes.*

*Devon County Council also believes that England's care system needs major reform to provide a long-term sustainable funding solution and to make care free at the point of use.*

*Devon County Council therefore supports Independent Age's call for the introduction of free personal care for all older people in England, alongside a new social care contribution to fully fund the policy on a sustainable basis.*

*Devon County Council calls on the Government to take the necessary steps to implement this policy as swiftly as possible to end the care crisis and properly support older people in Devon.*

*Devon County Council also calls on our local MP(s) to support the campaign for free personal care, and to speak up in favour of the policy in the House of Commons and through their wider engagements.*

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

## 208 **10 Point Green Action Plan**

Councillor Wright **MOVED** and Councillor Shaw **SECONDED**;

*This council notes its resolution on declaring a climate emergency in Devon, in February.*

*This council notes also that officers launched the policy on wildflower verges earlier this month. Huge congratulations to the officers who helped bring this about.*

*The government has now declared a state of climate emergency across the UK, following the actions of Extinction Rebellion.*

*Climate change and other human activity is now causing species to decline at a rate unprecedented in human history, with three-quarters of land-based environments and two-thirds of the marine environment significantly altered.*

*Devon County Council, with its positive record on the environment is well placed to work with others to help mitigate the catastrophe coming our way.*

*Therefore, this council agrees to:*

- 1. Call on the government to offer all pollinators full legal protection from harm*
- 2. Write to all Devon outlets stocking bee harming pesticides, and urge them to permanently cancel their order with the suppliers*
- 3. Take action to phase out all glyphosate pesticides used in council weed spraying or any other council related activity, by December 2019 (there may be exceptional circumstances such as dealing with specific non native species, such as Japanese knotweed)*
- 4. Support Devon County Council tenant farmers in phasing out the use of inorganic fertilisers (such as nitrogen) by December 2023*
- 5. Support Devon County Council tenant farmers in setting aside 10 per cent of their land for wildlife and/or wildflower mixes for pollinators*
- 6. Work with community groups and non-government organisations such as Devon Wildlife Trust and the Woodland Trust to support Devon County Council tenant farmers to set aside five per cent of their land for tree planting*
- 7. Work with community groups and non-government organisations such as Devon Wildlife Trust and the Woodland Trust on supporting town and parish councils, schools and community groups to set aside land for tree planting*
- 8. Develop a policy on soil health good practice, with an emphasis on allowing land to recover and phasing out damaging chemicals, which are ultimately sterilising the land. This would include setting appropriate and reasonable targets for Devon County Council tenant farmers*
- 9. Work with South West Water on a campaign to save water across the county, with an emphasis on education about future water scarcity. Specifically target town and parish councils, community groups and schools to raise awareness of the importance of good water practice*
- 10. Support Devon Wildlife Trust's campaign by calling on the Environment Secretary to allocate a further eight Marine Conservation Zones to Devon's waters. Details can be found on the DWT website - <https://www.devonwildlifetrust.org/take-action/marine-conservation-zones>*

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

**209**

### **Community Waste Reduction and Recycling Organisations**

Councillor Hodgson **MOVED** and Councillor Biederman **SECONDED**;

*Full Council recognises the valuable and considerable contribution community groups and associated enterprises make towards waste reduction and recycling. To this end it commits to continued financial support where a waste project has proved successful in supporting the delivery of the Council's waste services in line with its policies and priorities. Full Council further recognises that continued financial support can be vital to the viability of such organisations*

*The recent public consultation on the Reuse Credit Scheme (RCS) demonstrated the success and popularity of the three main community organisations who deliver these services and divert an extensive tonnage of waste from landfill for less than £50,000 p.a. These organisations have made a clear case that DCC financial support for their services is essential to their continued viability.*

*(NB; when DCC ceased its funding of the large number of community composting groups, and reduced the landfill tax support it paid them for diverting waste - approximately 60 groups at the time- over half of them ceased to operate within 12 months; resulting in a major reduction in the volume of biodegradable waste being diverted from landfill)*

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

## **210      House of Lords Select Committee - Rural Economy Report**

The Notice of Motion was withdrawn.

### **[NOTES:**

*Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by the Very Revd Jonathan Greener, Dean of Exeter Cathedral.*

*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 4.23 pm