

NOTICES OF MOTION

Report of the County Solicitor

Recommendation: that consideration be given to any recommendations to be made to the County Council in respect of the Notices of Motion set out hereunder having regard to the relevant factual briefing/background papers and any other representations made to the Cabinet.

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The Notices of Motion submitted to the County Council by the Councillors shown below have been referred to the Cabinet in accordance with Standing Order 8(2) - for consideration, reference to another committee or to make a recommendation back to the Council.

A factual 'Briefing Note/Position Statement' prepared by the relevant Head of Service is also included, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) Future of the Post Office (Councillor Hannaford)**

***Council notes with concern that:***

*Britain's 11,500 post office branches are facing mounting financial pressures. It is claimed financial pressures have already forced up to 1,000 out of business. More customers are now going online to buy stamps and parcels for postage. More people are also using the web to pay bills and to use government services. Government subsidies for remote post office branches have already fallen from £415million in 2013-14 to £99million in 2017-18. Under current plans this will fall further to £50million in 2020-21 before being stopped completely. At the moment Post Office Limited, which is owned by the Government, replaces branches when they shut, but campaigners have warned that the rate of closures in the coming years will make this impossible.*

***This Council believes that:***

*Our post offices are a key asset for the community, and the expertise and experience of staff there is invaluable. The relentless franchising and closure programme of the profit-making Crown post Offices, points to a lack of vision rather than the plan for growth and innovation that is needed. Government should therefore halt these closures and bring together stakeholders, including the CWU, industry experts, and business leaders, to develop a new strategy that safeguards the future of the Post office.*

***Therefore, Council resolves;***

*To formally write to the Prime Minister, the Secretary of State for Business Energy and Industrial Strategy, the Chancellor of the Exchequer, and all our local Members of Parliament, calling on the Government to guarantee their future. We are calling for the network to be properly funded, with a full range of services over the counter for those who are not online, and better support for the development of community hub models.*

**Briefing Note / Position Statement from the Chief Officer for Corporate, Public Health, Environment and Prosperity**

There are around 11,500 Post Offices in the UK, a number which has stayed relatively stable in recent years. Between March 2017 and March 2018, the total number of post offices in the UK reduced by 112, a fall of 1.0%. Most post offices (around 98%) are operated by franchise partners or sub-postmasters, as independent business people. Only around 2% of post offices are Crown post offices, which are directly managed by Post Office Limited.

In August 2018 the Government published an 'Access Criteria' in support of its desire to see a network of post offices accessible to people across the UK. The report stated *"In return for its package of funding for transformation and modernisation, the Post Office is committed to investing in the network and maintaining around 11,500 branches with no further substantive reductions and continued accessibility for all at the national level.... the government pledged £370million in funding for the Post Office up to March 2021"*

As a result, The Post Office is required by government to meet six 'Access Criteria:'

1. 99% of the UK population to be within three miles of their nearest post office outlet;
2. 90% of the UK population to be within one mile of their nearest post office outlet;
3. 99% of the total population in deprived urban areas across the UK to be within one mile of their nearest post office outlet;
4. 95% of the total urban population across the UK to be within one mile of their nearest post office outlet;
5. 95% of the total rural population across the UK to be within three miles of their nearest post office outlet.
6. 95% of the population of every postcode district to be within six miles of their nearest post office outlet.

In March 2018 The Post Office missed the target for the number of postcode areas in which 95% of population are within six miles of their nearest post office – this is intended to ensure a minimum level of access for customers living in remote rural areas. There were seven postcode areas in the UK where this was not met.

Within Parliament the Business, Energy and Industrial Strategy Select Committee is currently considering evidence relating to the Post Office network, examining issues such as the franchising of Post Offices, the reduction of Government subsidies, and the long-term resilience of the service. A one-off evidence hearing was held on 21st May 2019.

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/business-energy-and-industrial-strategy-committee/post-office-network/oral/103365.html>

Devon County Council responded to the Committee's consultation earlier this year:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/business-energy-and-industrial-strategy-committee/post-office-network/written/101221.html>

The Council's consultation response highlighted a number of concerns and opportunities for Post Offices into the future, particularly within rural communities. Key points included:

- The shift by the Post Office towards a central / devolved model which has seen core services fluctuate across the country, including in deprived, or remoter areas

- The lack of a single national offer and guarantee in banking and service provision being a significant challenge in both policy design and national delivery of community led service provision.
- The focus on third party resilience through the franchise model being of concern to authorities such as Devon, with considerable start-up costs and limited support.
- The Post Office having a strong brand recognition and strength, but needing to combine this with a better defined and consistent community-based offer
- Making Government aware of the very strong socio-economic supporting role that a comprehensive physical Post Office network plays, including for many businesses and as a central focus for vibrant high streets.
- The need for a national discussion about whether a focus only on profitable areas for franchises is sustainable over the long term in terms of the wider economic and social role played by Post Offices
- A request for Government recognition of the disproportionate impact that Post Office and banking closures and movements of post offices have on other local retail and service hierarchies, including downstream effects on local service provision within towns, villages and wider communities; the wider public sector costs of sustaining small communities and business rates revenues in Local Authorities.
- The need for recognition of the very significant number of personal and business customers who continue to use physical banking services across the country, particularly in rural and coastal areas such as Devon (evidence was provided) and the market opportunity this provides for the Post Office network.
- The need for recognition of the strong supporting role that Post Offices have in supporting global digital and internet-based commerce and trading by smaller UK based companies.
- The need for recognition of the unique role and opportunity for Post Offices to act as a single service provision centre within many communities, offering both postal, financial and retail service in locations increasingly devoid of wider competition. Post Offices are well placed to develop strategic relationship with other retail providers across the country beyond the existing supermarket relationships). This provides improved covenants and surety for landlords and other commercial partners for franchise holders seeking to sustain a store.
- Asking Government to consider the very strong central role that Crown Post Offices have in maintaining the economic vibrancy of town and city centres and supporting other businesses and local Business Rates revenues. As with smaller Post Offices there is a case for additional franchise support, not just for those at risk of failing, but also for those seeking to establish or move a franchise.

The Council welcomes the recent report *Setting up a community-run post office* (April 2019) which has been developed in a collaboration by Citizens Advice, the Plunkett Foundation and Post Office Limited. This provides practical advice around applying to run a local franchise or to link with existing local retailing business; the relevant application process and how to access wider community support and advice. This information will be made available on the Council's website.

In addition, the Council is linking with Devon Communities Together to understand the current picture in Devon and if there are opportunities to share local good practice, experience and networks to support groups wanting to develop greater community and rural resilience.

The Council is keen to use opportunities for place shaping and to join partner and community conversations, for example as part of One Public Estate, to consider and

develop a shared view of key and sustainable community assets, considered vital in building and maintaining strong communities.

### **(b) Boosting South West Rail Investment (Councillor Hannaford)**

*Council is concerned that the **£56 billion HS2** rail scheme has little or no direct economic, social or infrastructure benefits for the South West region.*

*Council considers that the existing rail links between London, Birmingham, Leeds and Manchester are already good, if not excellent, and in stark comparison to the far South West, that has dated and frail rail connections, that badly need new substantial strategic investment.*

*Council notes the recent report by the New Economics Foundation “A Rail Network For Everyone – Probing HS2 And Its Alternatives”, that includes rerouting the current HS2 funding to other regional rail improvements to improve local connectivity across the UK.*

*Council further notes other recent professional reports, representations and cross party discussions at Parliament, that have also recommended this move to invest in alternative railway investment away from HS2.*

*As part of this process Council supports that reallocation of HS2 funds for the following **local projects**;*

- ☐ *Improve connectivity to **Bristol Temple Meads** - to boost this transport hubs rail links - **£125m***
- ☐ *Rebuild **Cullompton Station** – lost since 1964, connecting the town to Exeter and Bristol, in tandem with the proposed 5,000 new homes at the garden village - **£15m***
- ☐ ***Exeter to Plymouth via Okehampton** - to improve sustainability, resilience, and green travel, in line with the ongoing substantial new housing developments - **£500m***
- ☐ ***Cross Cornwall Rail Link** – to improve links between East and West Cornwall - **£125m**.*
- ☐ *Reopen the **Bodmin to Wadebridge** railway line – to convert the community line back into more active service - **£125m**.*

*And the national scheme to **build cycle paths next to motorways and A roads**, to create **7,600 miles** of new routes to boost cycling - **£1.82bn**.*

*Council resolves to make formal representations to the **Parliamentary Transport Committee**, the **Secretary of State for Transport**, the **Chancellor**, the **Prime Minister** and all **local Members of Parliament** to support this reallocation of strategic infrastructure investment, and work with other key regional partners to move matters forward.*

### **Briefing Note / Position Statement from the Head of Planning, Transportation and Environment**

In November 2016, the Peninsula Rail Task Force (PRTF) published ‘Closing the Gap’: a strategic rail blueprint for a more resilient, reliable and better-connected railway in the South West with improved comfort and capacity.

Through the PRTF, Devon County Council has committed alongside Cornwall Council, Plymouth City Council, Torbay Council and Somerset County Council to speak with one

voice on strategic rail matters. Government has encouraged this approach as it is likely to have the greatest opportunity to influence future investment decisions, so we remain committed to the asks set out in the plan.

The PRTF has engaged positively with Network Rail, the Train Operating Companies and the Department for Transport to make significant progress against the 20-year plan.

This has included the following improvements and commitments:

- £50m+ flood resilience works north of Cowley Bridge, including Somerset levels and Athelney
- £30m signalling upgrade in Devon and Cornwall, improving reliability and doubling of services within Cornwall to two trains an hour between Plymouth and Penzance.
- Rollout of Hitachi trains, which are faster, delivering significantly more seats, with better on-board facilities.
- £15m committed initially to progress design for Dawlish to Teignmouth resilience works and £30m first phase works under way at Dawlish, with consultation on the next sections in progress.
- Additional 5/6 journeys daily between Exeter and Bristol delivered in May by Crosscountry timetable changes.

In addition, GWR franchise commitments will deliver improved journey times and enhanced services, including more consistently fast journeys between the Peninsula and London Paddington, maximising the benefits of the new rolling stock. These are expected to be in place this December.

The County Council is not able to question the case or need for infrastructure such as HS2, which is reported to deliver significant economic benefits to people in the North West and Midlands. However, it is interesting to note the Government have instigated an independently-led review, due to report in the autumn, which will look at whether and how HS2 should proceed, using all existing evidence on the project to consider:

- its benefits and impacts
- affordability and efficiency
- deliverability and scope
- its phasing, including its relationship with Northern Powerhouse Rail

With a new Secretary of State for Transport and a new Rail Minister in post, it is an opportunity for the PRTF to be setting out its prioritised list of strategic rail asks. Ahead of the spending review, PRTF will be seeking action on the key constraint which is a financial commitment and programme for the remaining works between Dawlish and Teignmouth plus progress on a number of other issues.

Furthermore, through PRTF, the County Council will remain focused on its own ambitions for rail and lobbying our Peninsula MPs to make the case for investment as set out in the adopted 20-year plan. To date, responding to policy consultations and making representations through forums such as the all-party parliamentary groups or via direct correspondence with Ministers has proven successful. Continuing this positive engagement with Government is the most effective way to secure rail improvements for the South West and realising our true economic potential.

### **(c) Appledore Shipyard – Renationalisation (Councillor Hannaford)**

*Council notes that Appledore Shipyard has a long and proud history of building and repairing vessels, and general engineering work since its founding in 1855.*

*Council is gravely concerned that despite having a highly skilled, dedicated and innovative local work force the shipyard remains closed.*

*Council reflects that this area of Devon has high levels of child poverty, poor infrastructure and very high rates of rural poverty generally, all of which require more public investment and intervention.*

*Council calls on the Government to renationalise Appledore Shipyard and fully integrate the site and its operations into the Ministry of Defence, to secure its long term future, ensure that defence capacity and resilience are maintained and provide employment and prosperity to the local community and the wider county of Devon.*

### **Briefing Note / Position Statement from the Head of Economy and Skills**

Babcock International announced on 21 November 2018 that it had taken the difficult decision to exit operations at its Appledore facility in Devon, with the intention to end its site lease on 15 March 2019. The announcement marked the end of a 12-year occupancy by Babcock. Prior to this there have been shipbuilding and maintenance operations at Appledore in various guises since 1855. Devon County Council recognises the strong role that this plays in the local economy and the very strong links to the local community in Appledore and the Bideford area.

The Council recognises the current economic situation in Torridge, particularly regarding earnings levels which are related in no small part to its geographical peripherality from much of the UK and the need for new investment to help improve the area's economic situation.

Appledore shipyard provided almost 200 highly skilled jobs in an area with a close-knit community, that is distant from a lot of other similar opportunities. By the time of the closure of the shipyard in March 2019, a significant number of these employees are on short-term redeployment to Babcock's Devonport site. As part of their closure announcement, Babcock outlined its intention to offer all staff members an opportunity to transfer permanently to their Devonport facilities.

Since the announcement of the proposed closure officers have been working closely with a broad array of local partners, including Trades Unions, Torridge District Council, South West Business Council and Jobcentre Plus, to prepare for next steps around the site. This has included highlighting our concerns regarding the future of the site to Babcock and wider stakeholders; setting out our support for ensuring the optimum outcome for employees and apprentices at Babcock / Appledore; and outlining the potentially significant economic impact that Babcock closure may have on the wider economy of Torridge. As far as practicable, the Council has indicated its strong support for the retention of skilled shipbuilding and marine sector jobs in the Torridge area, in particular any opportunity to sustain related apprentice and training activity.

As part of this approach, Devon County Council Economic Development Officers met key regional partners for a working group Task Force session regarding the Shipyard, which took place on 13 December 2018. This group included representatives from Babcock International and Torridge District Council, as well as a wider array of public

and private sector stakeholders. At this meeting Babcock confirmed its intentions as the lessee of Appledore shipyard to close its main operations, but to continue a small design function in the Appledore area.

Since the formal closure of the shipyard a skeleton staff from Babcock has also been maintaining equipment at the shipyard to ensure it remains usable.

The Task Force has been in regular contact with the owner of the site who wishes, if practically possible to maintain employment, preferably with links to the marine and maritime sectors, at the site.

In addition to direct engagement, the authority has also engaged with local MPs on this matter including Geoffrey Cox – the local Member, and Peter Heaton-Jones, the Member for the neighbouring constituency of North Devon, offering the County Council's full support.

Both MPs actively engaged with Government over the future of Yard and have held meetings with Babcock International's Chief Executive and with representatives of the shipyard workers. Mr Cox also met with the previous Defence Secretary who (as reported in the press) offered to bring forward a £60m package of work for Babcock at Devonport to help provide additional work for the Appledore workers. Unfortunately, no assurances were received from Babcock that it would keep the yard open.

Commercial in confidence talks continue between the Task Force and live potential new business operations at the Appledore shipyard site, with Government being kept informed. These potential new business operations include marine sector employment. Talks also remain ongoing with Babcock regarding the potential release of relevant and suitably skilled staff with an interest in locating, or relocating back to Appledore.

The Council is keen to ensure a long-term solution for Appledore and will continue to work with partners to ensure that these real prospects for investment that would restore highly skilled marine focused employment to the site reach a satisfactory outcome.

#### **(d) Veterans Pledge (Councillor Scott)**

*This Council supports and urges the Government and new Prime Minister to implement the Veterans Pledge and legislate to:*

- 1) create an Office of Veterans Affairs within the Cabinet Office, with a Cabinet level Minister, to ensure world-class care and support for former Armed Forces personnel;*
- 2) enshrine the Military Covenant into law, so that no veteran or their family should ever face any disadvantage because of their service for this country; and*
- 3) end vexatious investigations into historical allegations against our troops - including in Northern Ireland - to be passed before the next General Election.*

#### **Briefing Note / Position Statement from the Chief Officer for Communities, Public Health, Environment and Prosperity**

In May 2012 Devon County Council, alongside key statutory and voluntary and community sector partners, signed the Armed Forces Community Covenant, reflecting a shared commitment to uphold the Covenant and lead activity locally.

The Government's Armed Forces Covenant 'is a promise from the nation ensuring that those who serve or who have served, and their families, are treated fairly'. The Armed Forces Covenant has an expectation that government, communities, businesses and individuals of the UK actively support its work and aims.

Since 2012 the Council's support to the Covenant, most notably through its leadership and facilitation of the Devon Armed Forces (Community) Covenant Partnership has evolved. In 2018 the Council signed the Armed Forces Employer Covenant and is now working towards achieving Silver Defence Employer Recognition Scheme status. An Armed Forces staff network has been established within the Council and is very active in supporting veterans, reservists and their families.

The Council notes that the Prime Minister appointed Oliver Dowden MP as Cabinet Minister representing Veterans in July. The post will work closely with Johnny Mercer MP who has been appointed Minister for Defence People and Veterans. That role will now be a joint Ministry of Defence and Cabinet Office position, in order to allow the Minister to direct the work of the new Office for Veterans' Affairs.

This is the first time that veterans' affairs will be overseen by dedicated ministers in the Cabinet Office to ensure the whole of government pulls together to deliver the life-long support veterans deserve.

To date there are currently no 'known' changes to the Armed Forces Act 2011. However, following a Commons Defence Select Committee report in May 2019, former Defence Secretary Penny Mordaunt announced an intention to create a "statutory presumption" against the prosecution of current or former personnel for alleged offences committed in the course of duty abroad more than 10 years ago. This does not include those Veterans who served in Northern Ireland.

The proposed legislation, which is subject to public consultation, will state that such prosecutions are not in the public interest unless there are "exceptional circumstances", such as if compelling new evidence emerges.

The consultation, which can be accessed here, and closes on 19<sup>th</sup> October 2019.  
<https://www.gov.uk/government/consultations/legal-protections-for-armed-forces-personnel-and-veterans-serving-in-operations-outside-the-united-kingdom>

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This Report has no specific equality, environmental, legal or public health implications that will not be assessed and appropriate safeguards and/or actions taken or included within the detailed policies or practices or requirements in relation to the matters referred to herein.

JAN SHADBOLT

[Electoral Divisions: All]

#### **Local Government Act 1972: List of Background Papers**

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| <b><u>Background Paper</u></b> | <b><u>Date</u></b> | <b><u>File Reference</u></b> |
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NIL



