

County & District Councillor's Monthly Report Cllr. Jacqi Hodgson - Date: 4th June 2024
Devon County Councillor for Totnes & Dartington
(incl. Harberton, Harbertonford, Staverton, Landscope & part of Berry Pomeroy)
South Hams District Councillor for Dartington & Staverton
SHDC Executive Portfolio Councillor for Waste and Composting

Devon County Council: key issues

Proposed Devon & Torbay Combined County Authority and Devolution Deal. The decision taken last month to proceed with the devolution bid has now been put on hold due to the announcement by Government of the General Election that will take place on July 14th. Going forward with this process will depend on the outcome of the General election.

Government officials have confirmed that the establishment of the Devon and Torbay Combined County Authority (CCA) has been deferred until after July 4th, 2024. Government officials have explained that there was insufficient time to submit for Parliamentary approval the Statutory Instrument required to set up the Devon and Torbay CCA. The CCA is a legal requirement to assume responsibility for new funds and powers transferred by Government from Whitehall to Devon and Torbay.

Devon County Council Annual General Meeting and Full Council. Thursday 23rd May.

Cllr James McInnes was elected the new Council Leader as Cllr John Hart has stepped down and has been elected as Chairman for the year.

A number of residents from the Low Traffic Neighbourhood pilot scheme in Exeter attended the meeting and addressed the council requesting an immediate cancellation to the traffic restriction. Their main complaints were the problems for disabled persons, the additional traffic on other residential streets nearby, (i.e. the scheme had not included additional public transport services to support these changes) and the lack of public consultation. It was stated that 80% of the local residents objected to the scheme. (This matter was subsequently raised at the Exeter HATOC - Highways and Traffic Orders Committee - where the decision was taken to stop the pilot scheme as soon as possible).

My Questions tabled to this DCC Full Council meeting:

Question 1. Re; Request for DCC Pension fund divestment from companies involved in supplying arms to Israel.

Given the huge public concern about the impact on Palestine of Israel's offensive in Gaza, what steps have been taken to identify investments in firms supplying arms to Israel within Devon County Council's Pension and Investment funds portfolios and can we divest from these firms as a matter of urgency?

REPLY BY COUNCILLOR MCINNES

The Devon Pension Fund is indirectly invested in the following companies through its investment in the LGIM (Legal and General Investment Management) Global Developed Paris Aligned Benchmark Fund.

Companies believed to be supplying arms to Israel:

- Boeing
- BAE Systems
- General Dynamics

Components for Mekava tanks

- Ametek

It should be noted that the Devon Pension Fund's investment is in a fund that tracks an index of global companies, constructed using set metrics, including a company's market capitalisation and climate metrics, and it is not possible for the Devon Pension Fund to divest from individual companies that are held in the fund. The index used by the LGIM (Legal and General Investment Management) Global Developed Paris Aligned Benchmark Fund does exclude certain companies based on set criteria. This includes exclusion of companies that manufacture controversial weapons.

Controversial weapons are defined as those meeting the following criteria:

- **Biological & Chemical weapons:** Companies producing chemical or biological weapons and their components, including all precursors, munitions, devices or equipment specifically designed for, and used directly in connection with, these weapons. Secondary products and services to chemical & biological weapons that are specific to chemical & biological weapons.
- **Cluster Munitions:** Companies producing cluster munitions as defined in the Convention on Cluster Munitions and their components, including all precursors, munitions, devices or equipment specifically designed for, and used directly in connection with, these weapons. - Secondary products and services to cluster munitions that are specific to cluster munitions.
- **Anti-Personnel Landmines:** Companies that produce anti-personnel mines as defined in the “1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction” (“Ottawa Convention”). Secondary products and services to anti-personnel mines that are specific to anti-personnel mines.

The companies listed as supplying arms to Israel do not fall within those definitions and are therefore not excluded from the fund. It is also worth noting that these companies are also likely to be supplying arms to Ukraine.

My supplementary question

Within the United Nations Human Rights Offices, there is a list of enterprises active in in Israel’s illegal settlements and thereby involved in the grave breaches of international law. The DCC Pension fund includes names companies with complicit investments with a value of £19.6M. As you have listed, these companies include firms producing armaments that are being supplied to Israel in its war against Palestine where thousands of ordinary people are being killed, starved, injured and displaced. One such company that should also be on your list is Babcock International, which we are also supporting directly through our investments in the South Devon Freeport where it has a base in Devonport. With this additional information in mind, and also bearing in mind the speed with which we divested overnight from Russian banks 2 years ago, please can we commit to investigate divesting from these companies funding the devastation of the Palestinian people?

Verbal reply: The questions will be referred to the Devon & Pension Fund Committee.

Question 2. Re; Investigation of Judicial Review proceedings

Concerns have been raised about the issuing of the Article 27 Letter of Approval for Planning Application DCC/4101/2018 which led to the threat of a Judicial Review by Whitestone Parish Council, further to which I’m informed Devon County Council has now conceded to the case against the Council and will now face high legal costs for the errors. How did this arise and how much will the costs be?

REPLY BY COUNCILLOR BROOK

Following the Council’s decision to discharge conditions attached to a planning permission for Lower Hare Farm, Whitestone, a claim for judicial review was received from Whitestone Parish Council. While the Council has contested parts of that claim, it has accepted that its decision contained some errors and is proposing to agree a Consent Order with the claimant.

In the question, Cllr Hodgson suggests that the Council will now face high legal costs, however, the matter of costs is still under consideration.

Improvements to the Council’s process for discharging conditions have been put into place to limit the likelihood of similar claims in the future.

My Supplementary question

This is not the full reply I was hoping for, which would in my view and in light of the scale of this case, should, be provided. Will a full report be provided to the DM committee and made available to all the interested parties so that DCC can learn from mistakes and avoid future incidents occurring?

Verbal reply: It was agreed that a full report would be provided.

Corporate Infrastructure and Regulatory services Scrutiny meeting 24.05.24 Annual work programme setting meeting.

I requested that the following items are added to the forthcoming annual work programme:

1. Outcomes of the Active Travel scoping work carried out by District Councils across Devon on behalf of DCC to identify, scope and prioritise non-vehicular travel routes.
2. To discuss with District Councils their taking over the running of their local Recycling Centres currently operated by Sita Suez (whose contract expires in the next couple of years).
3. To explore in-house tendering for road maintenance contracts (current commissioned contracts due to expire in 2027). (This could provide better value on maintenance and roadworks – my view)
4. Young people's mental health to be investigated for better resources and supports.

The committee were informed by various officers of customer feedback from the various areas of Council responsibilities covered by this committee. Key Messages:

- The majority of complaints received were about Climate Change, Environment and Transport and the main teams complained about were the Neighbourhood Groups and Recycling Centres. The main activities complained about in relation to the Neighbourhood Groups was the quality of the service provided regarding potholes and road surface, and the main activities complained about in relation to Recycling Centres was the attitude and rudeness of staff.
- The second highest number of complaints received were about Children & Young People's Futures and the main teams complained about were Children & Families and SEN 0-25. The main activities complained about in relation to those teams were the quality of or delays in providing education provision for children with SEN and the quality of child in need plans.
- The most prevalent root causes across all services in 2023-24 were the quality of service provided (uphold rate 17%), a delay in providing a service (uphold rate 36%) and attitude/rudeness from staff (uphold rate 17%).
- Overall, response rates for Stage 1 complaints still require improvement, with only 65% responded to in time throughout the year.
- There were a significant number of Stage 2 requests received for Children's Social Care in 2022-23, which has reduced in 2023-24 and continues to remain at a much lower level each quarter to date; there were 38 Stage 2 requests received in 2021-22, and 48 in 2022-23, but only 20 received in 2023-24 which is very positive.
- 42 of the 143 complaints investigated by the LGSCO during 2023-24 were upheld (29%), most with maladministration and injustice, and two with maladministration but no injustice. This compares to 20 of 59 complaints investigated by the LGSCO during 2022-23 being upheld (34%), so it is reassuring that the uphold rate is beginning to lower.
- The LGSCO complaints that were upheld were mainly in relation to SEND. The council has complied with the recommendations and findings for all complaints and has paid out in excess of £67,000 in financial remedies as a result of LGSCO complaint investigations concluded in 2023-24, with the majority of these payments relating to SEND e.g. delays in issuing EHCPs or delays in securing suitable education. Please note that you can review the interactive LGSCO map for Devon County Council here, including all decisions: <https://www.lgo.org.uk/your-councils-performance/devon-county-council/statistics>

(see table below for overview)

Most common complaint issues & % upheld 2023-24		
	No. of issues	% Upheld
Children & Young People's Futures		
Quality of service provided	186	58%
Delay in providing service	147	46%
Poor communication (to customer)	119	49%
Climate Change, Environment & Transport		
Quality of service provided	363	5%
Delay in providing service	191	5%
Attitude/rudeness/inappropriate comments	114	8%
Digital Transformation & Business Support		
Quality of service provided	6	50%
Attitude/rudeness/inappropriate comments	3	33%
Delay in providing service	1	100%
Poor communication (to customer)	1	100%
Inappropriate service	1	100%
Egress Issue	1	0%
Integrated Adult Social Care		
Quality of service provided	43	19%
Poor communication (to customer)	27	44%
Delay in providing service	25	60%
Transformation & Business Services		
Quality of service provided	1	100%
Delay in providing service	1	0%
Communities, Public Health & Prosperity		
Quality of service provided	9	22%
Delay in providing service	4	75%
Cancellation or withdrawal of agreed service	3	0%
Failure or delay in referring	3	67%
Legal and Democratic Services		
Quality of service provided	6	50%
Delay in providing service	5	20%
Attitude/rudeness/inappropriate comments	2	50%
Dispute of records/documentation	2	0%
Finance and Public Value		
Dispute of records/documentation	1	100%

Devon Bus Form meeting 22.05.24. I attended this very interesting meeting. The purpose of this Forum is to encourage increased use of public bus services. The group was informed about a new ‘Travelling with Confidence’ project being organised with Devon Communities Together; the aim is to encourage more use of bus services.

Complaint about vehicles left running while carrying out commissioned works on behalf of DCC. A complaint from a resident regarding road works and the impact on their carbon footprint when vehicles are left running unnecessarily received the following interesting response from DCC Highways team: *“The Sign of the Owl works on the A3121 are currently being undertaken by our Highways Partners Kennford Tarmacadam Limited. I have asked them if indeed they have such a policy for engines running on site, but until this lunchtime I haven’t heard back from them. However, to complicate matters, it is possible that they may have hired another organisation to undertake the “Gate People” aspect on the site. Until Kennford Tarmacadam come back to me I won’t be able to say for certain, but I have asked the relevant questions on your behalf. A lot depends what is written in contracts at signing off.*

In terms of Devon Highways and Devon County Council in general, and having checked with relevant managers, currently there is no date to develop such a specific policy. Our strategy for reducing carbon in construction works are available online here: [Highways and Traffic Management, Engineer Development and Structures Service Decarbonisation Strategy - Roads and transport \(devon.gov.uk\)](https://www.devon.gov.uk/Highways-and-Traffic-Management-Engineer-Development-and-Structures-Service-Decarbonisation-Strategy-Roads-and-transport).”

I will follow this up further as the impact on air quality as well as carbon footprint needs to be addressed.

Computer Says NO: replies from Rob Richards, Deputy Highways Director of services regarding enquiries about funding, spending and decisions on potholes etc:

“ I think we all share the frustrations XXXXX refers to, however, these situations come from the difficult decision to prioritise the known, verified defects in accordance with the County Council’s [Highway Safety Policy](#) rather than operating a ‘find and fix’ approach.

Due to the fragile nature of our highway network following decades of under investment the service is overwhelmed by potholes and pothole reports each winter. This season we regularly received in excess of 400 reports a day and occasionally over 500. At the peak we had 42 gangs working across the network, plus Dragon Patchers and an elastomac gang. Despite all of these resources we still had a backlog that reached 2,200 with a high number of defects that were ‘late’ ie not repaired in line with the timescales that we have laid out in our policy. So, the difficult decision is whether we let the gangs repair what ever they find or send them where we have the known (late) defects that have been triaged by an inspector. In addition, as you would expect, our policy is risk based which will see our Principal A-road network prioritised over the lower category roads. As demand begins to reduce we hope to be able to switch back on the ‘serviceability’ patching which will allow gangs more flexibility to repair defects before they hit the intervention criteria laid out in our policy.

With regard to the comment around resurfacing verses pothole repair, a pothole is sign that the road is worn out or failing for some reason. In many cases the road would benefit from being resurfaced however, even with welcome increase in budget we have a backlog that is estimated at £200m.”

My Q. The recently announcements about an underspend at DCC has allowed more funding for potholes repairs has raised some questions about where the underspend was (given that every budget was apparently very tight). Do you know where this extra money has come from?

“ While it’s been reported as an underspend it’s more related to the Service seeing an increased income through Permits from Statutory Undertakers and recognising that some minor patching should be paid for from Capital budgets rather than revenue.

We also benefitted from reduced winter services costs due to the mild winter.”

Response to my enquiries regarding to application of TRICS and the Comments from DCC Highways on the current Baltic Wharf planning application:

(09.05.24) “So far I have not received an update to the formal comments made but I have spoken to the Transport Consultant and Applicant today to explain the concerns raised below. There are lots of positives and negatives that can be applied when using TRICS data. I have been through these with the Transport Consultant today. Whilst the local survey undertaken has its own advantages the Highway Authority would acknowledge any survey is simply a snap shot in time and travel characteristics may vary day to day. Local observations may very well differ from what is presented as a result. Ultimately the national guidance on this matter does not specifically require TRICS to be utilised, so I would not wish to recommend refusal on the basis the information has not been supplied. The DFT also now promotes the use of Vision and Validate rather than Predict and Provide as a recognised transport assessment technique. This takes away the emphasis for reliance on traffic data and advises Local Planning Authorities and Highway Authorities to establish a ‘vision’ of how the site will operate sustainably in the future. That said I have explained the concerns below to both the applicant and the Transport Consultant and made the request for additional TRICS information to be submitted in the form of an addendum to the Transport Assessment.

In terms of the road outside the Steam Packet, it is acknowledged the road is narrow, however there is adequate forward visibility for drivers to gauge oncoming traffic and make decisions appropriately. There are no injury accidents reported to the Police in the last 3 years at this location, which indicates that this road arrangement operates adequately. The proposals are likely to increase traffic using this section of road but the majority of the development traffic will be tidal in the busiest hours of the day, with the exception of some of the care home staff/business units/boat yard. The Highway Authority also as part of Phase 1 required a concrete imprint paved surface material change in this location to heighten driver awareness that the road is narrow. Again based on this I would not wish to raise concerns.

In terms of Phase 1 Baltic Wharf a Transport Consultant was appointed to administer and arrange the onsite travel plan mitigation and travel surveys, that were agreed as required in the Travel Plan and S106. In addition to this a financial contribution was provided to the Town Council so that a Totnes Travel Plan Officer could be appointed by the Town Council. The Highway Authority has no preference whether both happen again as part of Phase 2/3 Baltic Wharf and would support a request should a cost for an officer be generated by the Town Council.

The Highway Authority is currently still working with the applicant to try and remove current concerns so that conditions can be imposed without objection. We are still awaiting a steer from the Planning Authority in terms of viability and how this impacts the S106 requests made by the Highway Authority to date.

In terms of when the application might be ready to be scheduled for determination, the Planning Officer would be best placed to advise on this point."

REMINDER: DCC Public Consultation on Children's Hubs: These are proposals around how the council could use existing Children's Centres in the roll out of Family Hubs. The Have Your Say consultation page is here. [Children's Centre Consultation - Have Your Say \(devon.gov.uk\)](#) **Consultation closes at midnight 03.07.24.** Link to the news. [Proposals for the roll-out of new Family Hub centres - News \(devon.gov.uk\)](#).

Road Safety issues at St.Johns' School, Bridgetown:

Cllr Tim Bennet and I met with Deputy School Head Teacher Nicola Jillard 22nd May at the school to discuss the outcomes of the meeting on site with the DCC Highways Officer and to commence work on a Green School Travel Plan for the school. The latter has been requested by the School safety team at DCC as a first stage in assessing the situation for the school and taking steps to improve safety. This will require a survey of all staff and students coming to the school.

KEVICC proposed sale of Elmhirst site and building: I have received the following update: Further to the announcement of the General Election, the DFE has advised that no decisions will be forthcoming on sites in the pre-election period.

Castle St – signage to improve safety: I have been advised by the DCC Highways Team as follows: *"the order is with the sign shop to fabricate the new sign, so I cannot give an ETA but once we have it the installation of it and the post should be fairly quick."*

Totnes Climate & Ecological Emergency Working Group. The next meeting will take place on Tuesday 18th June at 6.30pm. Meetings take place on the third Tuesday of the month at 6.30pm at Totnes Climate Hub. This meeting will continue the focus on community composting, with the attendance of Ben Bryant from the Sustainable South Hams Community Composting Team and reports back participants and discussions about possible sites in and around Totnes that are being looked into. All welcome.

Devon Carbon Plan: A new community-based wildlife project is being promoted as follows:

Communities across the South Hams, East and Mid Devon, Teignbridge, Exeter, Plymouth, and Torbay are being invited to help collect information on the impact climate change is having on nine threatened nocturnal mammal species – seven bat species, hazel dormice, and hedgehogs – as well as the habitats they depend on. Made possible with funding from National Lottery Heritage Fund, 'Connecting people and landscapes in a changing climate' will bring together regenerative farming and conservation to build a community around

nature-friendly food production. By connecting local people and farmers the project aims to build understanding of how regenerative farming supports biodiversity, help people gain knowledge and skills needed to monitor wildlife, and grow more resilient landscapes and communities. Link for information: <https://devonclimateemergency.org.uk/taking-action-old/new-project-uses-power-of-community-to-tackle-impacts-of-climate-change/>

Funding news

Please feel free to share with your communities and contact Karen Dent (author) below for more information.

"I have listed a few of the DCC funding that is available and highlighted the application deadlines in red, there are some great opportunities, they just need sharing with your communities so that people can make the best-informed choices and groups can apply, we all understand that most groups are run by voluntary contributions and the more exposure to these funding opportunities the better.

*Don't forget if your community would like a visit from me to see what I can do to help get people become more active I am happy to come for a chat, especially if it is a coffee morning, community group. Currently I am starting walking groups using Nordic poles – we have had a massive response from Wembury area and people are really engaging in the community with the walks, the weather hasn't been kind but when we are able to get out we have been and the response has been truly amazing, if anyone would like to come out to help promote the walks feel free to contact me, the more people walking and being active the better!
Below are the links and some of the funding available:"*

Decarbonisation

<https://bipc.librariesunlimited.org.uk/decarbonisation-plans/>

Libraries Unlimited are looking to support businesses in the South Hams, West Devon or Teignbridge with fully-funded support to create a carbon reduction plan.

There is also the opportunity to access a grant up to the value of £10,000 in South Hams and West Devon (up to £20,000 in Teignbridge based on specific conditions) in order to implement proposed improvements. The grant is available to those who complete a decarbonisation plan and Libraries Unlimited recommend engaging early with the process as there is a limited pot of funding.

Application – ASAP

Eat it up Fund

If you have a ground-breaking idea to cut down on food waste, you can apply to the Eat It Up Fund, a grant scheme aimed at finding and supporting creative approaches to reducing food waste. Eat It Up is a partnership between Hubbub and Starbucks: for 2024 they are offering six grants of up to £60,000. The aim is to support projects that have either been tested and need funding to support their expansion or are at an earlier stage with a concept ready to trial.

Projects need to do some or all of the following:

- address pre-farmgate waste
- prevent food from being wasted at manufacturing and processing stage
- minimise food waste from retailers
- find ways to use surplus food in creative ways in communities or at home

UK organisations can apply including registered charities and CIOs, social enterprises, Community Interest Companies, schools, universities, colleges, local authorities and small businesses with a clear social purpose. Expressions of Interest by 14 June 2024

Goodness Grants

<https://sthelensfarm.co.uk/goodness-grants/>

St Helen's Farm – the UK's largest goats' milk producer – has launched a new initiative called Goodness Grants. Not-for-profit organisations and registered charities can apply for a grant of up to £5,000 to support projects which are doing good in their local community.

Projects could be based around sport, schools, clubs, wellness or to tackle social issues. The grants are specifically for local organisations which improve the health, places or skills for families in their communities.

The total budget is £10,000 and St Helen's Farm is keen to make as many grants as possible so it is advisable to apply for a small amount.

Application deadline - 30 June 2024

Barchester's Charitable Foundation

<https://www.bhcfoundation.org.uk/apply>

Funding is available from Barchester's Charitable Foundation for projects to support older people and adults with a disability. The focus of the foundation is on helping people to connect with others in their local community and so grants can be made for projects that combat loneliness and enable people to be active and engaged.

Applications are accepted from small community groups and local charities for funding to help with:

- Activity projects
- Equipment and materials for use by members
- Member transport
- Day trips, outings and group holidays in the UK

You can apply for up to £2,500

Priority will be given to innovative projects that help older people and those with a disability to get active, meet people, and reduce isolation.

Grants up to £1,000 are also available to individuals in need of mobility equipment: this is for people over 65 or adults with a disability or mental health problem. All applications for an individual must have a third-party sponsor such as a healthcare professional, social worker, charity, or support group representative

Applications will be accepted at anytime

Arnold Clark Community Fund

<https://www.devon.gov.uk/fundingnews/fund/arnold-clark-community-fund-3/>

Grants are available for community projects and for organisations supporting people experiencing hardship or you can apply for a free youth sports kit for your team. The funding comes from the Arnold Clark Community Fund which was set up to support community groups and charities that benefit their local community.

There are three separate funds:

Gear Up for Sport – any youth sports team (including school teams) aged between 4-15 and with up to 30 members is eligible to apply for a brand-new sports kit for their team members. The kits will be Arnold Clark branded, and there is a selection of colours to choose from; you can also have your team logo included. This fund is open until 23 September 2024.

Our Communities Support – Grants up to £2,500 are available for animal welfare (benefiting humans), arts and culture, community development, disability, education, recreation, relief support and mental health support – where people/communities in the UK are the primary and immediate focus of investment.

Cost of Living Support – grants up to £2,500 are available to organisations whose work directly supports those most affected by the cost-of-living crisis, such as foodbanks, accommodation or poverty relief.

Applications for Our Communities/ Cost of Living Support can be made by charities, community groups, social enterprises, CICs and CIOs that are located within 50 miles of an Arnold Clark branch. There is a branch in Exeter and so most of Devon is eligible.

Gear Up for Sport: 23 September 2024. Our Communities/ Cost-of-Living Support: 31 December 2024 (unless funding is committed prior to this date)

Healthy Hearts

<https://www.devon.gov.uk/fundingnews/fund/healthy-heart-grants-2/>

Funding is available from Heart Research UK for new community projects working with adults, that focus on promoting healthy hearts and reducing the risk factors associated with heart diseases. Projects must work solely with adults and have a main focus on one or more of the following: healthy eating, physical activity, smoking and/or alcohol consumption. Grants of £15,000 are available to small registered charities and Community Interest Companies with an annual income of less than £1million.

Applications open to organisations in Southern England on 12 June with a deadline of 10 July 2024.

Karen Dent | Sport and Community Development Officer

South Hams | Devon Outreach | 07895 447613. (Usual working days: Tuesday, Wednesday and Thursday)