

# PART A

## DEVON COUNTY COUNCIL – RESPONSE



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11 March 2024

Dear Sirs,

**Re: Your letter dated 4 March 2024**

The contents of your correspondence dated 4 March 2024 are noted.

For clarity, the Devon Carbon Plan ("DCP") was not produced by DCC but by an independent task force formed of 29 public, private, community and not-for-profit organisations under Devon County Council's leadership. All of the membership organisations had an active input in creating the Climate Adaptation Strategy by participating in the Climate Impacts Group who provide knowledge across various public and private sectors. This includes participation in meetings, the minutes of which are publicly available.

There have been many opportunities for the members of public, including yourselves, to engage in the consultation process undertaken by the independent task force, while the DCP was being prepared. The breakdown of the results of the consultation is publicly available, as are Devon County Council's Cabinet minutes, in line with the Council's transparent decision making.

Your claims are unsubstantiated and we do not intend to engage in further correspondence with you.

Yours faithfully,

A handwritten signature in blue ink, appearing to be the initials "AL".

**The Litigation Team**  
**Legal Services**  
For and on behalf of Devon County Council

## PART B OUR RESPONSE ... BY EMAIL

Copies to 52 Councillors & Senior Officers  
Also 280 + Parish & Town Clerks NOTIFIED

Dear Donna,

### DCC - CLIMATE EMERGENCY

#### HEIGHTENED LEVEL OF RISK / THREAT & RECTIFICATION NEEDS

In response to a letter issued by your litigation team dated 11 March 2024, we now bring to your attention a **heightened level of strategic risk / threat** posed by your organisations practices and procedures which if left unchecked are likely to cause catastrophic harm to the well being of this region and its people.

#### 1. Heightened indicators ... reinforcing previous notification

Your organisations official response to our notice of rectification & escalation letters (*dated: 31<sup>st</sup> October 2023 & 4<sup>th</sup> March 2024*) indicate **very serious issues** regarding:

##### a) Hubris within the senior management / leadership culture

**b) a lack of organisational culture with 'process maturity'** to deal openly and effectively with strategic risk warnings, strategic re-appraisal and dynamic 'critical' feedback which are necessary characteristics of 'process developed or mature' emergency planning and execution type organisations.

**c) Avoidance of your leadership responsibility and accountability** regarding the organisation construct (scope, direction, purpose, constraints, design) and the governing role DCC plays in the Devon Climate Emergency and associated programmes including the Net zero task force and Devon Carbon Plan.

**d) a lack of organisational awareness** of how to engage appropriately with the gravity and nature of the issues being notified. These are advisory gaps, strategic risk, organisation, audit and governance in nature.

These are **NOT** the purview of a litigation / legal team.

The nature of your response presents a **heightened indicator** that the current organisation is **NOT FIT FOR THE PURPOSE** of complex systemic emergency planning and management.

This **reinforces our previous message** to you and **greatly enhances the level and likelihood of threat** on the people and the region **posed by the inadequate organisation and management practices at the behest and leadership of Devon County Council** relating to emergencies.

In addition to the suggestions contained within our letters we **strongly suggest that your Senior Management Team urgently seek independent specialist advice and organisation developmental support** to help you address the issues that have been notified to you through this email, our letters and our report underpinned by a series of freedom of information inquiries.

For the avoidance of doubt, we will formalise this with a further letter of notice.

## **2. Escalation due to cancelling of ‘critical voices’**

Through your response you state an intention of **NOT** engaging and dismissing our findings, we are consequently forced to initiate a peaceful campaign to bring these very serious issues and concerns to the publics’ attention across Devon.

## **3. Duty of care**

The gravity of the issues notified to you and the potential for catastrophic harm from your organisation and management practice is significant.

We remind you that as public servants; you have **a responsibility first and foremost to cause no harm**, to act objectively using the best evidence without discrimination, bias or pre-determination solely for the public interest and the needs of the people of Devon. There is a duty of care on public authorities and their officers to consider or think about how their policies, organisation systems and decisions affect the people and the wellbeing of this region.

We suggest that you consider discharging this duty of care, with due diligence, in light of the information now presented to you.

**To avoid organisation inertia, it is in the public interest to have transparency regarding the rectification measures being adopted.** We have previously suggested that Devon County Council urgently requests from your auditors (a) a formal **‘Advisory Notice’** and (b) a **‘Public Interest Report’** pertaining to the issues raised in our notice letter and accompanying 56 page report.

**Furthermore, in context of your response there is a heightened need to demonstrate assurance to the public.**

## **4. AGREEMENT BY DEFAULT - within 40 days**

If we have not received **appropriately considered** correspondence, to the contrary, from you within 40 working days of this email, stating a reassessed position with proposed

rectifications, then we will consider by default that you agree with the entirety of our findings as outlined in our previous letters of notification.

Please note that these findings were communicated through the initial notice letter accompanied by a 56 page report. [Electronic copies and two explanatory videos can be found on our website.](#)

## **5. Our objective**

We reiterate that our objective as Seven Concerned Citizens is to avert a major regional planning related catastrophe by informing and assisting both the public and the council to become aware of issues surrounding emergency planning and execution. As concerned citizens we are seeking assurances that the councils' organisation system is 'fit for the purpose' of emergency planning without inflicting considerable and unnecessary harms onto the people from misguided and non-rigorous strategy and policy.

Devon County Council have now been notified of very serious organisational issues and strategic risks. We urge you to reflect openly upon the findings of our report, the explanatory videos and accompanying information on our website.

Yours faithfully

Seven Concerned Citizens

[www.sevenconcernedcitizens.co.uk](http://www.sevenconcernedcitizens.co.uk)