

Phil Norrey
Chief Executive

To: The Chair and Members of the
Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 2 January 2018
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk
:

CABINET

Wednesday, 10th January, 2018

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 13 December 2017 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

Nil

KEY DECISIONS

7 Budget 2018/2019 (Pages 1 - 4)

Report of the County Treasurer (CT/18/07) on the impact of the Provisional Local Government Settlement for forthcoming year on the preparation of the 2018/19 budget and re-affirmation of service expenditure targets, attached.

Electoral Divisions(s): All Divisions

8 Budget Monitoring: Month 8 (Pages 5 - 8)

Report of the County Treasurer (CT/18/01) on the Month 8 position in respect of the 2017/2018 budget, attached.

Electoral Divisions(s): All Divisions

9 Capital Flood Improvement Schemes at Ivybridge and Uplyme (Pages 9 - 16)

Report of the Head of Planning, Transportation and Environment (PTE/18/1) on Capital Flood Improvement Schemes at Ivybridge and Uplyme, attached.

Electoral Divisions(s): Axminster; Ivybridge

MATTERS REFERRED

NOTICES OF MOTION

10 Notice of Motion - EU Sentience and EU LAW (Minute 63 - 7 December 2017)) (Pages 17 - 20)

Report of the County Solicitor (CSO/18/3) on the Notices of Motion referred to the Cabinet by the County Council on 7 December 2017, incorporating relevant briefing notes to facilitate the Cabinet's discussion of the matters raised.

Electoral Divisions(s): All Divisions

11 Notice of Motion - Pension Fund and Fossil Fuel Companies (Minute 64 - 7 December 2017)

Report of the County Solicitor (CSO/18/3) on the Notices of Motion referred to the Cabinet by the County Council on 7 December 2017, incorporating relevant briefing notes to facilitate the Cabinet's discussion of the matters raised.

Electoral Divisions(s): All Divisions

12 Notice of Motion - Council Budgets - Vulnerable Young and Elderly Residents (Minute 66 7 December 2017)

Report of the County Solicitor (CSO/18/3) on the Notices of Motion referred to the Cabinet by the County Council on 7 December 2017, incorporating relevant briefing notes to facilitate the Cabinet's discussion of the matters raised.

Electoral Divisions(s): All Divisions

13 Notice of Motion - Post Brexit Arrangements (Membership of the European Single market and Customs Union) (Minute 65 7 December 2017) (Pages 21 - 28)

Report of the Head of Economy and Skills on the Notice of Motion referred to the Cabinet by the County Council on 7 December 2017 on Post Brexit Arrangements (Membership of the European Single market and Customs Union), incorporating relevant briefing notes to facilitate the Cabinet's discussion of the matters raised, attached.

Electoral Divisions(s): All Divisions

STANDING ITEMS

14 Question(s) from Members of the Public

15 Minutes (Pages 29 - 34)

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein:

Farms Estate Committee – 11 December 2017

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:

Minutes of the [Devon Education \(Schools\) Forum](#):

Minutes of the [South West Waste Partnership](#)

Minutes of the [Devon & Cornwall Police & Crime Panel](#)

16 Delegated Action/Urgent Matters (Pages 35 - 36)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

17 Forward Plan

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

[NB: The Forward Plan is available on the Council's website at: <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

KEY DECISION

18 Family Based Care Tender (Fostering): Procurement Process (Pages 37 - 40)

Report of the Chief Officer for Children's Services (CS/18/01), on the Peninsula Fostering in Independent Fostering Agency Placements, Outcome of Tender and Award of Contract, attached.

An Impact Assessment will be published separately, prior to the meeting.

Electoral Divisions(s): All Divisions

19 Joint Carer Services Lots 1 and 2 contract award(s) (Pages 41 - 68)

Report of Chief Officer Adult Care and Health and the Chief Officer Children's Services (ACH/18/76) on the Joint Carers Service tender process and provision of Carer Support Services for Adult Carers (Lot 1) Young Carers (Lot 2), attached.

An Impact Assessment is also attached.

Electoral Divisions(s): All Divisions

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

20 Exclusion of the Press and Public

Recommendation: that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of the preferred bidder or tenderers for the provision or supply of council goods or services, and of the County Council and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

21 Family Based Care Tender (Fostering) - Procurement Process (Pages 69 - 86)

An item to be considered by the Cabinet in accordance with the Cabinet Procedure Rules and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, no representations having been received to such consideration taking place under Regulation 5(5) thereof]

Report of the Chief Officer for Children's Services (CS/18/2), on the Peninsula Fostering in Independent Fostering Agency Placements, Outcome of Tender and Award of Contract, attached.

Electoral Divisions(s): All Divisions

22 Joint Carer Services Lots 1 and 2 contract award(s) (Pages 87 - 92)

[An item to be considered by the Cabinet in accordance with the Cabinet Procedure Rules and Regulation 5 and 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, no representations having been received to such consideration taking place under Regulation 5(5) thereof]. [Special Urgency Procedures](#) were obtained in order that this Report could be considered in Part II.

Joint Report of Chief Officer Adult Care and Health and the Chief Officer Children's Services (ACH/18/77) on the Joint Carers Contract (Outcome of Tender and Award of Contract), attached.

Electoral Divisions(s): All Divisions

Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The [Forward Plan](#) is published on the County Council's website.

Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).

Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

Membership

Councillors J Hart (Chair), S Barker, J Clatworthy, R Croad, A Davis, S Hughes, A Leadbetter, J McInnes and B Parsons

Cabinet Member Remits

Councillors Hart (Policy & Corporate), Barker (Economy & Skills), Clatworthy (Resources & Asset Management), Croad (Community, Public Health, Transportation & Environmental Services), Davis (Infrastructure Development & Waste), S Hughes (Highway Management), Leadbetter (Adult Social Care & Health Services), McInnes (Children's Services & Schools) and Parsons (Organisational Development & Digital Transformation)

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background Papers relating to any item on this agenda should contact Karen Strahan, 01392 382264. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Questions to the Cabinet / Public Participation

A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility.

Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. For further information please contact Karen Strahan on 01392 382264 or look at our website at: <http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/>

Emergencies

In the event of the fire alarm sounding leave the building immediately by the nearest available exit, following the fire exit signs. If doors fail to unlock press the Green break glass next to the door. Do not stop to collect personal belongings, do not use the lifts, do not re-enter the building until told to do so.

Mobile Phones

Please switch off all mobile phones before entering the Committee Room or Council Chamber

If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

Walking and Cycling Facilities

County Hall is a pleasant twenty minute walk from Exeter City Centre. Exeter is also one of six National Cycle demonstration towns and has an excellent network of dedicated cycle routes – a map can be found at: <https://new.devon.gov.uk/travel/cycle/>. Cycle stands are outside County Hall Main Reception and Lucombe House

Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

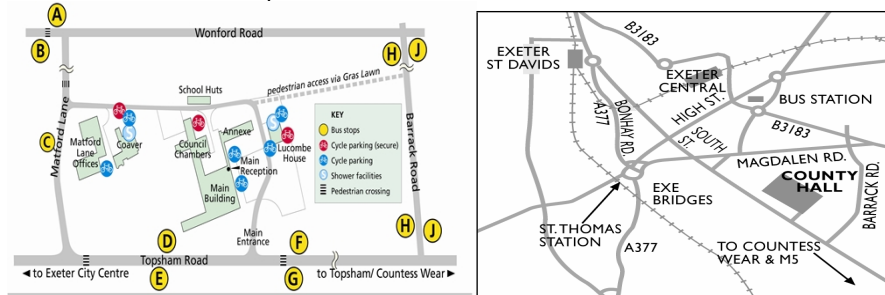
Car Sharing



Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

Car Parking and Security

There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



NB   Denotes bus stops

Fire/Emergency Instructions

In the event of a fire or other emergency please note the following instructions. If you discover a fire, immediately inform the nearest member of staff and/or operate the nearest fire alarm. On hearing a fire alarm leave the building by the nearest available exit. The County Hall Stewardesses will help direct you. Do not stop to collect personal belongings and do not use the lifts. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair, as shown on the site map above. Please remain at the assembly point until you receive further instructions. Do not re-enter the building without being told to do so.

First Aid

Contact Main Reception (extension 2504) for a trained first aider.