

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.

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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/>

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NOTES FOR VISITORS

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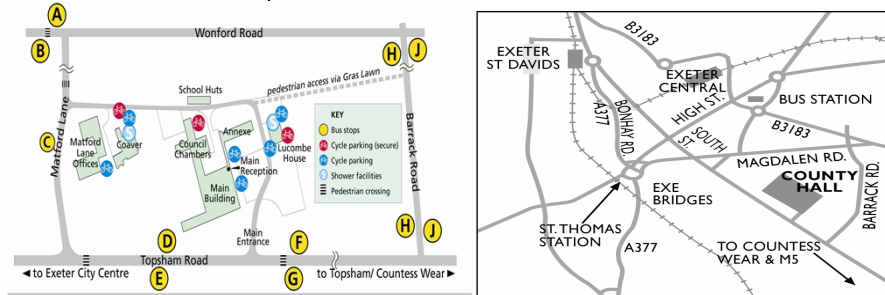
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NB   Denotes bus stops

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First Aid

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Budget 2018/19 Report of the County Treasurer

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect

Recommendations:

It is recommended that:

- (i) The content of the Provisional Settlement be noted;
- (ii) The success of the Devon wide Business Rates Pilot application be noted;
- (iii) The revenue spending targets for 2018/19 approved at the December Cabinet meeting remain unchanged.

1. Introduction

1.1. On 19th December 2017, the Secretary of State for the Department for Communities and Local Government, Rt. Hon. Sajid Javid MP, made a statement to Parliament on the Provisional Local Government Finance Settlement for 2018/19. The main items of note are set out below.

2. The Provisional Local Government Finance Settlement 2018/19

2.1. Members may recall, that the 2016/17 local government finance settlement announced Core Spending Power figures for the four year period of 2016/17 to 2019/20. The Provisional Settlement for 2018/19 has confirmed the Core Funding figures at the expected level of £115.2 millions. There have however been other changes as set out below:

2.1.1. It had previously been announced that the national figure for the Rural Services Delivery Grant would be reduced in 2018/19 from £65 millions to £50 millions; this is not now going ahead and the grant will remain at the current level. This change means funding of £6 millions to the County Council, £1.4 millions more than expected. Due to the Business Rates Pilot outlined later in this report, this funding will not be paid as a separate grant in 2018/19 but will be rolled into Core Funding and increase the resources available to the Council from the £115.2 millions noted above to £121.2 millions.

2.1.2. The Government consulted earlier in the year on further changes to the New Homes Bonus Scheme. The Government has decided not to go ahead with the proposed changes and will instead keep the scheme unchanged from the current year except for a reduction in the number of years benefit from 5 years currently to 4 years. New Homes Bonus grant figures have been announced and the sum for the County Council is just under £300,000 more than anticipated, at £3.8 millions.

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2.1.3. The Chancellor's Autumn Budget announced a change in the annual Business Rates inflationary increase from Retail Price Index (RPI) to Consumer Price Index (CPI). This change is effective from 2018/19 and will mean a reduction to Business Rates received by Local Authorities as part of Core Funding. The Government undertook to compensate authorities for this loss and the Provisional Settlement includes a grant to the County Council of £2.1 millions for this purpose and is included within the table below.

2.2. The table below sets out the grants notified at the time of writing this report, with the notable omission being the Public Health Grant that has yet to be received:

	£000
Dedicated Schools Grant	499,125
Compensation for under indexing of Business Rates	2,100
Independent Living Fund	2,705
New Homes Bonus	3,808
Lead Local Authority Flood Relief Grant	89
Improved Better Care Fund	20,396

2.3. The provisional settlement has set the Council Tax increase that will trigger a referendum, excluding the Social Care Precept, at 3% for 2018/19; an increase of 1%.

3. 2018/19 100% Business Rate Retention Pilots

- 3.1. As noted in the December budget report to Cabinet, the Department for Communities and Local Government invited Local Authorities to submit applications to become 100% Business Rates Retention Pilots in 2018/19. The Government's intention is that the new pilots will run alongside the five current 100% pilots which have been in operation since 1 April 2017. The current pilots, and the new wave in 2018/19, will help explore options, with Government, for the design of future local government finance reforms.
- 3.2. The County Council along with all the Devon Districts and the two Unitary Authorities submitted an application, to become a Pilot area, to Government at the end of October.
- 3.3. As part of Sajid Javid's statement to Parliament on the Provisional Local Government Finance Settlement he announced that due to the large number of pilot applications a total of ten have been accepted for 2018/19.
- 3.4. The Devon application is one of the ten successful bids. It is understood that at least three DCLG officials independently scored each pilot bid based on the application criteria originally set. This in combination with ministerial judgement and Treasury cost limits, led to Devon's success.
- 3.5. The success of the Devon wide bid brings with it not only an opportunity to help inform future local government finance reforms but a financial benefit to all of the authorities too. The pilot bid submitted estimated that for 2018/19 there could be a benefit of just under £17 millions to geographic Devon of which nearly £10 millions could come to the County Council. This is only an estimate and the final sums will not be known until the end of the Pilot year. It should also be noted that this benefit is currently for one year only.

4. 2018/19 Targets

- 4.1. The Cabinet meeting of 13th December approved the revenue spending targets for 2018/19. As the provisional settlement is no worse than anticipated the targets set at that meeting can remain unchanged.

Mary Davis County Treasurer

Electoral Divisions: All

Cabinet Member: Councillor John Clatworthy

Local Government Act 1972: List of Background Papers

Provisional Settlement 2018/19

Contact for enquiries:

Angie Sinclair

Tel. No. 01392 380711

BUDGET MONITORING 2017/18 Report of the County Treasurer

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: That the position based on Month 8 is noted.

1. Introduction

- 1.1. This report outlines the financial position and forecast for the Authority at month 8 (to the end of November) of the financial year.
- 1.2. The overall underspend is forecast at £2.6 millions which is a slight increase on the month 6 position. However, as previously reported, caution should be taken as there is still time for storm events and winter pressures to occur. The main reasons for the underspend are explained in this report.

2. Revenue Expenditure Adult Care and Health Services

- 2.1. Adult Care and Health services is forecast to underspend by £4.769 millions, which is an increase of £599,000 from the underspend reported at month 6 mainly due to an improvement in the locality operational position, additional staff vacancy savings and savings on contracts. This position takes into account £522,000 of management action yet to be achieved.
- 2.2. Adult Care Operations is forecasting to underspend by £3.944 millions, which is primarily attributable to a consolidation of better contract negotiations and demand management (£3 millions), and benefits arising from a successful Promoting Independence approach to new and existing cases.
- 2.3. Older People and Physical Disability services are forecast to underspend by £1.495 millions primarily driven by a lower number of care packages than budgeted (417).
- 2.4. Sensory, Community Enabling and other operational central budgets are showing an underspend of £417,000. In-house services are forecast to underspend by £493,000 due to lower running costs and staffing vacancies.
- 2.5. Learning Disability services (including Autistic Spectrum Conditions) is an area of concern and is now forecast to overspend by the end of the year by £1.461 millions, primarily due to higher numbers of packages than budgeted (220).
- 2.6. Adult Commissioning and Health (including Mental Health) is forecast to underspend by £825,000 primarily due to staff vacancy savings in commissioning teams, project savings, and savings on central contracts.
- 2.7. The key risks for the service are pending HMRC enforcement action on National Living Wage compliance for sleep in night shifts, children transitioning to adult services, increased autism costs, and the continuation of increased care home placement unit costs. Additionally, winter can also be a challenging and volatile time for the service as demand increases and hospital flow is challenged.

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3. Revenue Expenditure Children's Services

- 3.1. Children's Services are showing a forecast overspend of £3.335 millions; this is an increase on the month 6 position of £640,000.
- 3.2. Children's social care is forecast to over spend by £2.4 millions (£1.9 millions in month 6). The key factors causing the cost pressures and the risks that they present to the financial position have not changed from those previously reported. The shortage of market sufficiency (locally and nationally) particularly for children with high levels of complex needs continues to drive up costs with significant rises in the average unit rates for independent and supported accommodation placements.
- 3.3. The placements budget is forecast to overspend by £2.6 millions (£1.9 millions in month 6). Within this external residential and supported accommodation over spends total £4.2 millions, partially offset by under spending in other placement types including fostering and post 18 placements of £1.6 millions. When the budget was set it was hoped to contain demand by management actions such as stepping down children in high cost placements into lower cost but still appropriate placements. However due to the shortage of market sufficiency this has only been partially successful, of the target savings of just over £5 millions nearly £3 millions has been achieved. It seems unlikely that the remaining £2 millions will be realised.
- 3.4. Disabled Children's Services are forecast to over spend by £756,000. As previously reported there are more packages of care/ services being accessed by children and families than budgeted whilst average costs of packages have also increased. Although the review of Disabled Children's Services is not anticipated to release the level of reductions from high cost packages originally expected in this financial year, focused management action has resulted in a stabilising of cost pressures in this reporting period.
- 3.5. These overspends within Children's Social Care have been partially offset by other savings across the remaining budgets including vacancy management, lower legal disbursement and other variations of £926,000; (£667,000 at month 6).
- 3.6. The non DSG element of Education and Learning is forecasting an overspend of £905,000, which is an increase of £178,000 since month 6. This relates mainly to personalised transport and the unplanned Special Educational Needs (SEN) contract cost & route increases. Home to College/School transport is expected to show an underspend of £100,000.
- 3.7. The Dedicated Schools Grant is currently forecast to overspend by £3.078 millions. High Needs is currently forecasting to overspend by £2.83 millions at year end. The remaining £300,000 relates to the Growth Fund. It was agreed in principle at Devon Education Forum that these overspends would be rolled forward to 2018-19.

4. Revenue Expenditure Highways, Infrastructure Development and Waste

- 4.1. Highways, Infrastructure Development and Waste are showing an underspend of £212,000. The term maintenance contract awarded to Skanska commenced operation on 1st April 2017. Expected savings from the new arrangements of £908,000 have been built into the budget and are being achieved. The Highways service is currently projected to break-even at year end.
- 4.2. The Infrastructure Development and Waste services are forecast to underspend by £212,000. This is mainly due to additional income having been received in respect of the Plymouth and Exeter energy from waste plants.

5. Revenue Expenditure Other Services

- 5.1. Communities, Public Health, Environment and Prosperity (COPHEP) are showing a forecast overspend of £110,000 a slight improvement on month 6 - £23,000. This is mainly due to staff savings.
- 5.2. Corporate Services is forecast to break-even at year end and there has been little change since month 6.
- 5.3. Non service items are forecast to underspend by £854,000. This is mainly due to additional investment income of £315,000, additional grant income and savings on Provisions and Pension costs of £539,000.

6. Capital Expenditure

- 6.1. The approved capital programme for the Council is £161.803 millions. The year-end forecast is £139.268 millions, producing slippage of £22.534 millions. Significant areas of slippage have been identified in respect of the following schemes:
 - Marsh Barton station (£3.660) millions, further talks ongoing with Network Rail, Department for Transport and the Local Enterprise Partnership to secure funding, and in addition value engineering underway to reduce scheme costs;
 - Tiverton Eastern Urban Extension (£1.130) millions, work commenced in September and will now span financial years;
 - South Devon Highway (£2.226) millions, land payments less than anticipated and whilst a number of compensation claims have been submitted they will not be settled in this financial year;
 - Grants to Independent Sector (£1.000) millions, project progressing but in early stages, expenditure expected in next financial year;
 - A361 Gornhay to M5 (£3.150) millions, grant funding confirmed in August 2017 with work commencing September, resulting in the project now spanning financial years; and
 - Connecting Devon & Somerset (£962,000), the Accountable Body, Somerset County Council, have advised that external funding will be utilised in the first instance therefore Devon County Council's contribution not required in this financial year.

The balance consists of minor slippages on numerous small projects.

7. Debt Over 3 Months Old

- 7.1. Corporate debt stood at £2.1 millions, being 1.2% of the annual value of invoices, and well within the annual target of 1.9%. This is a significant reduction on previously reported figures, particularly in respect of aged debt for Public bodies and trade debtors. We will continue to pursue the balance of debt owed, including the use of legal action where appropriate. It is anticipated that year-end debt will be below the annual target.

8. Conclusion

- 8.1. The ongoing pressures in Children's Services are very concerning; not only in relation to the current year but the ongoing impact over the medium term. The forecast overall underspend of £2.6 millions is welcome; however, this must be treated with caution. In recent years we have experienced very mild winters but that will not always be the case and we have yet to see what the remainder of this winter will bring. In the last few weeks, for example, we have incurred spending of about £250,000 on gritting operations and this expenditure could continue in the next few months.

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Mary Davis, County Treasurer

Electoral Divisions: All

Cabinet Member: Councillor John Clatworthy

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Mary Davis

Tel No: (01392) 383310 Room: 199

Background Paper Date File Ref: Nil

Date Published: 21st December 2017

PTE/18/1

Cabinet
10 January 2018

Capital Flood Improvement Schemes: Ivybridge and Uplyme

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: It is recommended that Cabinet:

- (a) approves the Ivybridge Flood Improvement scheme at an estimated cost of £300,000 and the Uplyme Flood Improvement Scheme at an estimated cost of £226,140;**
- (b) increases the Planning, Transportation and Environment (PTE) 2017/18 capital programme by £154,242 and 2018/19 by £300,000, funded £140,000 from the flood risk revenue budget, £19,242 from the revenue flood prevention works budget, £55,000 from external contributions and, £240,000 from external grants. £50,000 is to be allocated from the flood prevention works 2018/19 capital programme, funded by capital receipts.**

1. Summary and Purpose of Report

The town of Ivybridge and the village of Uplyme have both suffered repeat flooding in recent years, affecting properties and the highway infrastructure. This report highlights the history of flooding in these two communities and the ongoing high risk of future flood events during periods of heavy rainfall. It also details the proposed scheme options that have been developed to significantly reduce this ongoing risk and recommends that Devon County Council (DCC) supports the delivery of these essential flood improvements through its capital programme. Location plans are attached to this report.

2. Background

2.1 Ivybridge

During heavy rainfall the steep slopes in the upper catchment of Ivybridge generate significant runoff towards the developed area of Claymans Pathway, causing the capacity of the surface water drainage system to be exceeded. This leads directly to the flooding of properties in Claymans Pathway; overland flows continuing along the footpath also affect further properties in Slipperstone Drive. Internal flooding to properties has been experienced in this area for many years, with investigations indicating that this results from culvert capacities being exceeded beyond a 1 in 2 year event. When considering the design standard from the 1 in 100 year event, that we would be aiming to achieve, there are over 25 properties at risk that would benefit from these essential flood improvements.

2.2 Uplyme

The village of Uplyme experiences regular nuisance flooding affecting properties, highways and other infrastructure, such as the village hall. It was reported that over 14 properties were flooded internally during 2012, some on multiple occasions. A review of the drainage systems, including the watercourse channel and culverted sections, has identified a number of restrictions and inadequate culvert capacities, with a risk of flooding in some locations from a 1 in 2 year event. Others do not have the capacity to convey the 10 year flow. In

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order to reduce the risk of future flooding and provide the current design standard of protection, it is essential that the restrictions are removed for improved conveyance.

3. Scheme Proposals

3.1 Ivybridge

The preferred scheme will upsize the existing culverted watercourse system. This will involve the installation of a 250m long, 750mm diameter, culvert from its inlet to the north of Stibbs Lane down through the residential area of Claymans Pathway and Slipperstone Drive, discharging into an existing open watercourse to the south. Its purpose is to convey overland flood flows downstream of the area at risk of flooding.

Additional natural flood management measures are also being promoted outside of this contract, with Defra funding being drawn down from the current Environment Agency 'Dartmoor Headwaters Project', to enhance and supplement the hard-engineered solution.

3.2 Uplyme

A number of measures are proposed at different locations to improve conveyance through the village, including:

1. Formalisation of overflow ditch to avoid restrictive culverts under the B3165, Lyme Road.
2. Installation of a 40m long, 450mm diameter, bypass culvert through the Uplyme Village Hall carpark.
3. Removal/alteration of a concrete service bridge from BT control box to the Village Hall.
4. Installation of an overflow culvert running adjacent to the existing main road culvert under the B3165, Lyme Road, upstream of the Village Hall.
5. Installation of a 100m long, 600mm diameter, flood relief culvert running under Pound Lane, connecting into an existing watercourse downstream.
6. Provision of protective silt traps and watercourse check weirs.

4. Consultations/Representations/Technical Data

Throughout the investigation and design process there has been a close working relationship between DCC's Flood Risk Management Team and Engineering Design Group, the District Councils (South Hams and East Devon), Uplyme Parish Council and relevant landowners. Regular updates have also been provided to the resident and Town Council representatives in Ivybridge.

The respective Planning Departments have been consulted and confirmed that, as both schemes are predominantly below ground, neither require formal planning permission and can be implemented as permitted development.

5. Financial Considerations

Business cases for both Ivybridge and Uplyme Flood Improvement Schemes are being prepared and will be submitted to the Environment Agency to bid for Defra Flood Defence Grant in Aid. Additional budget allocations have been requested from Local Levy and, for the latter scheme, from East Devon District Council. A breakdown of the cost estimates and proposed funding sources is tabled below.

The proposed implementation of the scheme and allocation of funding through DCC's capital programme is subject to formal confirmation of the external grants and contributions.

Stibbs Lane, Ivybridge			
Funding Source	Prior to 2017/18	2017/18	2018/19
Prior costs incurred by DCC			
DCC PT&E Flood Risk Management revenue budget		£50,000	£60,000
Flood Prevention Works capital programme allocation			£50,000
Flood Defence Grant in Aid		£10,000	£100,000
Local Levy			£30,000
Total		£60,000	£240,000

Uplyme			
Funding Source	Prior to 2017/18	2017/18	2018/19
Prior costs incurred by DCC	£21,898		
DCC PT&E Flood Risk Management revenue budget		£20,000	£10,000
DCC revenue budget for Flood Prevention Works		£19,242	
Flood Defence Grant in Aid			£70,000
Local Levy			£30,000
East Devon District Council		£55,000	
Total	£21,898	£94,242	£110,000

6. Sustainability, Equality and Public Health Considerations

The flood improvements mentioned in this report will be developed in accordance with the Equality and Environmental Assessments produced in support of the Devon Local Flood Risk Management Strategy. All elements of the scheme have been assessed at the appropriate stage using the corporate, integrated assessment tool, with relevant equality and environmental impacts identified and acted on as necessary.

The works outlined in this report are all designed to improve the protection afforded to the community and individual properties currently at risk of flooding and, thereby, support health and wellbeing. More than just protecting the properties alone, it should be noted that flood water has the potential for transporting contaminants, such as sewage; so, reducing flood risk has clear health benefits.

An environmental appraisal of the proposals indicates that, with appropriate mitigation, there will be limited impact upon landscape, historic and ecological interests. The scheme will also look to maximise any ecological opportunities.

In addition to the engineered works, natural flood management measures are also being promoted within both catchments to support and enhance the standard of protection and mitigate against the effects of climate change.

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7. Legal Considerations

All works will be carried out in accordance with the powers and duties assigned to DCC under the Flood and Water Management Act 2010, the Land Drainage Act 1991 and any other relevant legislation. The lawful implications and consequences of the proposals and relevant actions have been considered through the design process and will be addressed, as necessary, through the implementation of the scheme. This will involve legal notices of entry to be served on private land/property owners to enable access for construction of the works.

8. Risk Management Considerations

The risks associated with flooding are set out in the Devon Local Flood Risk Management Strategy and addressed through DCC, Local Resilience Forum and local community emergency plans. In addition, the corporate risk register identifies the risks linked to the implementation of DCC's role as Lead Local Flood Authority. The proposed works are designed to reduce these risks and align with these strategies and plans.

The current standard of protection in both locations is in the region of 1 in 2 years, which is considered a significant high risk. The proposed improvements aim to move the risk to a category of low risk, which will maximise the benefits for the communities.

9. Discussion

The delivery of these important flood improvements will provide a significantly greater standard of protection and reduce the frequent risk of flooding to the affected properties in both Ivybridge and Uplyme, including many community assets, small independent businesses and the highway network.

The business cases to be submitted to the Environment Agency justify the intended level of investment required for the proposed improvement schemes, in accordance with national objectives. Both areas are also rated as high priority catchments for investment when considered against the criteria set out in the Devon Local Flood Risk Management Strategy.

10. Options/Alternatives

Several options were considered at both locations to achieve the most cost beneficial schemes. Schemes focusing only on natural flood management were reviewed in detail, but were found not to provide the required standard of protection and any benefits that would be gained were outside of an acceptable timescale. However, some of these measures will be delivered to provide added benefit to the engineered options and assist in mitigating the effects of climate change.

All alternative options were considered against a range of factors such as environmental impact, flood risk benefit, social impact, health and safety implications and economic affordability. The assessments indicated that the preferred options, and hence the proposed schemes, are deemed to provide the most advantageous and cost beneficial schemes that will give immediate benefit upon completion of the works. This will be fully scrutinised by the Environment Agency's National Project Assurance Service, as part of the business case approval process for Defra funding.

11. Reason for Recommendation/Conclusion

The frequency of flooding experienced in both Ivybridge and Uplyme and the continuous threat of internal flooding to properties and businesses and the disruption to the highway

network has placed both locations high on Devon County Council's priority list for investment in flood risk management. It is, therefore, recommended that the proposed schemes are approved for delivery through the DCC capital programme, maximising external funding from Defra Grant in Aid and Local Levy, to secure these essential flood improvements and hence reduce the risk of flooding to both Ivybridge and Uplyme.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Ivybridge and Axminster

Cabinet Member for Community, Public Health, Transportation and Environmental Services:
Councillor Roger Croad

Chief Officer for Communities, Public Health, Environment and Prosperity: Virginia Pearson

Local Government Act 1972: List of Background Papers

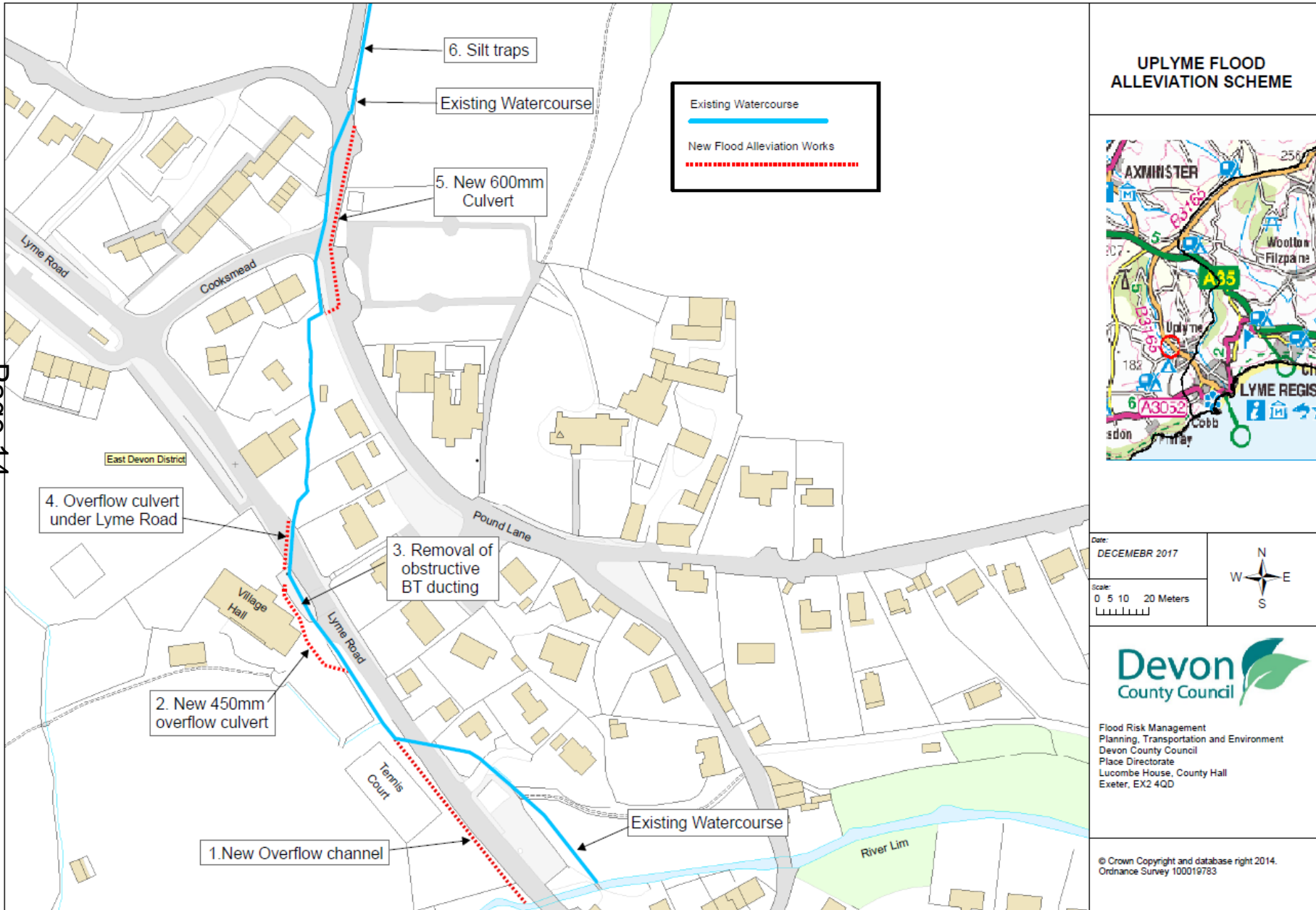
Contact for enquiries: Martin Hutchings

Room No. Lucombe House, County Hall, Exeter. EX2 4QD

Tel No: (01392) 383000

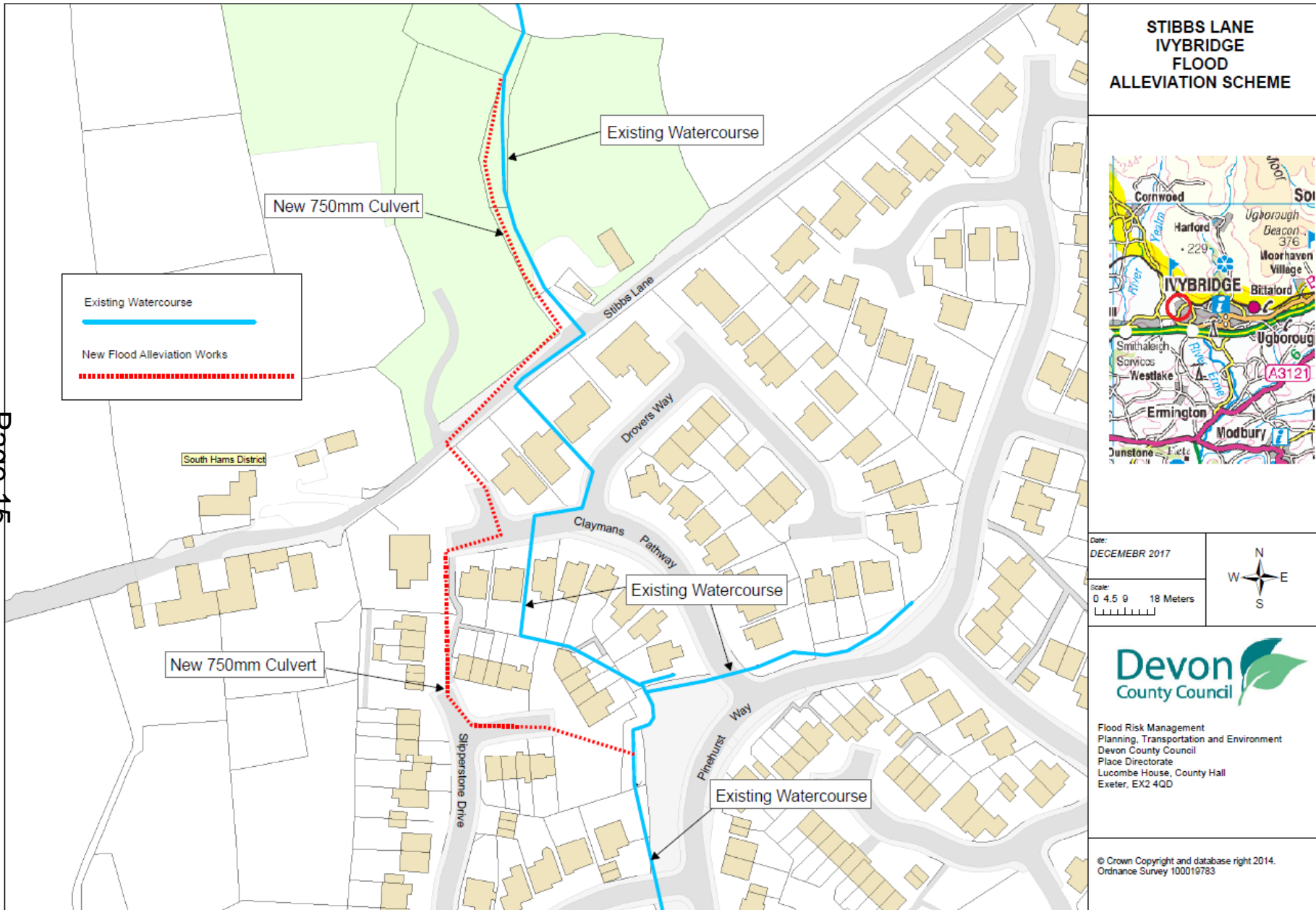
Background Paper	Date	File Reference
Local Flood Risk Management Strategy and Annual Action Plan	May 2014 March 2017	https://new.devon.gov.uk/floodriskmanagement/local-flood-risk-management-strategy/

mh051217cab Capital Flood Improvement Schemes Ivybridge and Uplyme
hk 04 191217



Devon County Council

Flood Risk Management
 Planning, Transportation and Environment
 Devon County Council
 Place Directorate
 Lucombe House, County Hall
 Exeter, EX2 4QD



CSO/18/3
Cabinet
10 January 2018

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 where appropriate or available, to facilitate the Cabinet's discussion of each Notice of Motion.

### **(a) EU LAW – Animal Sentience (Councillor Wright)**

*This Council is disappointed that the Government voted to omit an important clause in EU law relating to animal sentience, as part of the Withdrawal Bill.*

*This Council is encouraged by the Government's subsequent clarification on its position relating to sentience and its commitment to enshrining higher animal welfare standards into UK law.*

*However, this Council backs calls from the British Veterinary Association to commit to an appropriate timeframe to reinstate the vital obligation in EU law in Article 13, on the STATE being responsible for animal welfare, in addition to UK law, which states that only the KEEPER of the animal is responsible.*

### **Briefing Note/Position Statement from the Head of Devon, Somerset & Torbay Trading Standards Service**

EU Article 13 of Title II of the Lisbon Treaty sets out the EU protocol on animal sentience and importantly puts a duty on the state to have due regard for animal welfare in the development and implementation of policy. It states:

In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States relating in particular to religious rites, cultural traditions and regional heritage.

Since Article 13 has its origins in a treaty rather than a regulation, it did not qualify to automatically transfer into UK law as part of the European Union (Withdrawal) Bill 2017-19). Under the United Kingdom's directly enacted Animal Welfare Acts, accountability for the treatment of an animal focuses on the animal keeper, but not on the state. Green MP, Caroline Lucas submitted an amendment clause which sought to transfer the EU Protocol on animal sentience into UK law, so that animals would continue to be recognised as sentient beings under domestic law and the State would continue to have an overall responsibility for their welfare.

However the proposed clause was rejected with an 18 majority for the Government, which prompted the British Veterinary Association to lead a call for an urgent need for clarity from

# Agenda Item 10

Government on how the provisions in Article 13 will be enshrined in UK law to ensure we do not fall short of the high standards we expect as a nation of animal lovers. This included a 1,200-signature letter from individual veterinary surgeons, veterinary nurses and veterinary students calling for the principle of Article 13 to be explicitly enshrined in UK legislation post-Brexit,

The Government has produced a written statement on the matter which maintains that although the proposed clause (Clause 30 of the European Union (Withdrawal) Bill 2017-19) was voted against this is not a vote against the idea that animals are sentient and feel pain. The government states that its policies are, and will continue to be, driven by the recognition of sentience and they will act 'energetically' to reduce the risk of harm to animals – farmed and in the wild. They believe Clause 30 was a 'faulty' amendment which would not have achieved its stated aims and claim that they will find the right legal vehicle to ensure a rigorous and comprehensive system of recognising sentience is embodied in future legislation. In their opinion, Article 13 has not delivered the progress required, its effect in practice is very unclear and it has failed to prevent practices across the EU which are cruel and painful to animals.

On 12 December 2017 the Secretary of State for Environment, Food and Rural Affairs published a draft Animal Welfare (Sentencing and Recognition of Sentience) Bill which reflects the principle of animal sentience in domestic law. This draft Bill also contains an obligation, directed towards government, to pay regard to the welfare needs of animals when formulating and implementing government policy.

## **(b) Pension Fund and Fossil Fuel Companies (Councillor Hodgson)**

*'In line with its recently affirmed commitment to mitigating climate change, this Council will divest its pension funds away from fossil fuel companies and seek opportunities to invest in companies that support renewable energy. This is moving forward in line with other Local Authorities such as Southwark taking this important step'.*

### **Briefing Note/Position Statement from the County Treasurer**

Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 sets out a range of functions that are not to be the responsibility of an Authority's Executive. These include functions relating to local government pensions. Under Part 3(b) of the Council's Constitution the Investment and Pension Fund Committee has the delegated power to discharge the duties of the Council as Administering Authority of the Pension Fund under Section 101 of the Local Government Act 1972.

## **(c) Post Brexit Arrangements (membership of the European Single Market and Customs Union (Councillor Shaw)**

*This County Council respects the majority vote in the County to support leaving the European Union, but believes that the UK must secure post-Brexit arrangements which best support the economic and social wellbeing of Devon and the country as a whole. The Council therefore urges the Government to negotiate continued membership of the European Single Market and Customs Union, both of which bring considerable benefits to Devon.*

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

See separate report under Cabinet Agenda Item 13

## **(d) Council Budgets – Vulnerable, Young and Elderly Residents (Councillor Biederman)**

*Devon County Council was very disappointed to see there was no help, to this council in the autumn statement with regard to Children's Services & Social Care. Children's Services budgets are overspent here and in 75% councils across the country, with a £2 billion shortfall in council budgets. If we are to deliver safe and effective services for vulnerable children we need to be adequately funded. The situation is very similar with Social Care.*



*We write a cross party letter, to Devon MP's and the Minister signed by all group leaders expressing our concerns and urging Devon MP's and the Government to address this growing problem for our most vulnerable young and elderly residents.*

**Briefing Note/Position Statement from the County Treasurer (in liaison with the Chief Officer for Children's Services and the Chief Officer for Adult Care and Health)**

It was disappointing that the Autumn Statement did not recognize the considerable financial pressure placed on Local Government by the increasing demands of Children's Services and Adult Social Care Services. Recent research by the Local Government Association (LGA) has indicated that Councils are undertaking more than double the number of child protection investigations than they were a decade ago. Izzi Seccombe, the chair of the LGA's community wellbeing board, has expressed disappointment that the Chancellor found no additional money for adult social care in his budget and has warned that nationally adult social care could face an annual funding gap of £2.3 billions by 2020.

Sometimes pressures not recognized in the Autumn Statement are recognized in the announcement of the Local Government Provisional Settlement. The details of the Settlement are given in a report elsewhere on the agenda. The Settlement has been beneficial to this Council but it did not provide additional funding for Children's Services or Adult Social care as some were anticipating.

Over the years the Council has done much lobbying of both local MPs and Ministers to try to obtain a better funding deal for Devon. In the New Year Councillor James McInnes will be meeting with Local MPs to inform them of the pressures felt by Children's Services. Consistent, continual effort is required to raise awareness of these issues.

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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

Contact for Enquiries: K Strahan

Tel No: 01392 382264 Room: G31

<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil

Cabinet
10 January 2018

BREXIT: Notice of Motion: Membership of the European Single Market and Customs Union

Report from the Head of Economy, Enterprise and Skills

Recommendations:

- a) that the Council be recommended to note the opportunities and impacts from BREXIT on the Devon economy; and
- b) That the Council be assured that the Cabinet will continue to assess the impacts and other implications for the Devon economy as details become more understood on the future arrangements agreed between Government and the EU Commission for trade and the labour market.

1. Introduction

Council meeting of 7 December 2017, Minute 65:

Councillor Shaw MOVED and Councillor Wright SECONDED that:

This County Council respects the majority vote in the Country to support leaving the European Union, but believes that the UK must secure post-Brexit arrangements which best support the economic and social wellbeing of Devon and the country as a whole. The Council therefore urges the Government to negotiate continued membership of the European Single Market and Customs Union, both of which bring considerable benefits to Devon.

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

This report summarises some of the key themes that will potentially be impacted by Brexit. However, key aspects of the UK's exit from, and future relationship with, the European Union (EU) remain subject to considerable uncertainty at this point in time. This makes it difficult to assess the potential impact of Brexit, positive and negative on the Devon economy.

Given the degree of uncertainty and no agreed position on trading agreements or alternative models to the single market / customs union which may be agreed upon, it is not possible to assess the implications on the economic and social well-being for Devon residents. The government is currently seeking to achieve an outcome that delivers many of the benefits of the single market without some of the costs and restrictions involved, this position may be accepted or an alternative agreed over the coming months and is the subject of intense debate both within the UK and within the EU. It is likely to be one of the key themes that dominates the negotiations between the UK and the EU over the coming months.

Agenda Item 13

On 29 March 2017, the government triggered Article 50, which began the formal process for the UK to leave the EU on 29 March 2019. On 15 December 2017, the European Council agreed that sufficient progress had been made in Phase 1 of the negotiations, which concerned the terms of the UK's withdrawal from the EU, to begin Phase 2 which would focus more on the terms of the UK' and the EU's future relationship.

Under Phase 1 of the negotiations, both Parties have reached agreement in principle across the following three areas: protecting the rights of Union citizens in the UK and UK citizens in the Union; the framework for addressing the unique circumstances in Northern Ireland; and the financial settlement. The detail of what was agreed has been published by the government.¹

The EU has published its guidelines for phase two of the negotiations, with discussions on future economic co-operation not likely to begin until March, though the UK government is arguing for those discussions to begin as soon as possible.

2. Potential opportunities and impacts of Brexit

2.1 Labour market

It is currently unclear what migration arrangements will prevail after the UK leaves the EU, beyond the fact that the government will have more control over migration policy and that EU nationals residing in the UK at the date of exit will have some of their rights protected.

Devon has sectors that draw on EU and non-EU migrant workers. At one end of the spectrum, the tourism and health & social care sectors are supported by low-skilled migrant labour. The agricultural sector also relies on casual and seasonal labour and increases in labour costs that may emerge as a result of changes to migration may impact those businesses in particular.² At the other end, the high-value manufacturing and construction sectors use EU nationals to fill higher-level skills gaps. A reduction in this labour could result in wage increases for domestic workers, but could also exacerbate recruitment difficulties for some firms and lead to higher prices for consumers.

Until the future arrangements are clear it is difficult to predict what the overall impact might be. But what is clear is that it will be more important than ever to ensure that the UK is training a skilled and flexible workforce.

¹ <https://www.gov.uk/government/publications/joint-report-on-progress-during-phase-1-of-negotiations-under-article-50-teu-on-the-uks-orderly-withdrawal-from-the-eu>

² Brexit Scenarios: An impact assessment, Oct 17, Agriculture and Horticulture Development Board

2.2 Trade

Again, future trading arrangements with the EU and the rest of the world remain very unclear. Companies in Devon are less reliant on exports than other parts of the country, with only approximately 20% of businesses in Devon exporting to markets overseas. However, the majority of those exports are to the EU. In fact, 70% of Exeter's exports are to the EU, which is the highest share of any city in the UK³.

The possibility of new trading arrangements with the rest of the world may open up new opportunities for firms in Devon. It will be critical that Devon is positioned to capitalise on these while being aware of adjustment risks for any sectors that do face new tariffs or other barriers.

Imports are also an important consideration. Around 44% of imports to the South West of England come from the EU, which allows consumers and businesses to access the widest pool of goods they require at the lowest prices.

It is difficult to assess whether the single market and customs union is preferable to a future free trade agreement with the EU, as the terms of such an agreement are very unclear at present. The government is seeking to achieve an outcome that delivers many of the benefits of the single market without some of the costs and restrictions involved.

2.3 EU funding

The UK is expected to lose access to most EU funding streams after it leaves the EU in 2019. Devon has been a major beneficiary of EU funding in recent years, including "structural funds" which are the main source of EU economic development funding estimated to be worth around £10m per annum to Devon. Devon benefits from EU "structural funds" at a beneficial intervention rate because of its designation as a "transition area" in recognition of its low productivity and workplace based earnings in some places. This funding has been important at a time when government funding for regional development has been falling and it has supported numerous high-profile projects. But these funds are often costly to administer and poorly targeted. Brexit represents a significant opportunity for the government to replace them with something better tailored to local priorities.

The government has said that it will introduce a "Shared Prosperity Fund" to replace EU structural funds, and will be consulting on the design of that fund in 2018. It has not said how large that fund will be or how it will be distributed. We understand that the Government is also considering rolling a range of domestic economic development funding (e.g. the Local Growth Fund) into the Shared Prosperity Fund, meaning that it will likely become the government's key regional development policy. Elements of this fund are likely to be controlled nationally by individual government departments, while others may be devolved to local areas. This is a significant

³ Cities Outlook 2017: Centre for Cities

Agenda Item 13

opportunity, but there is also a risk – particularly for predominately rural areas like Devon – that the new fund does not fully replace the current arrangements.

Councillors and officers will be lobbying stakeholders, including local MPs, to argue that:

1. Government should not use this as an opportunity to reduce the total amount of funding available for economic development in areas like Devon. There is a risk that funding could be skewed to other parts of the UK (e.g. the government's Industrial Strategy places a heavy focus on cities)
2. Funding should continue to be allocated on the basis of need rather than competition. The current distribution of EU funding leads to local discrepancies (e.g. more generous for Cornwall than for Torridge, despite the economic similarities) but it is at least based on a broad assessment of need and deprivation. Competitive pots would likely favour urban areas who could demonstrate the highest economic returns.
3. Local areas should be empowered to decide how that funding is spent in line with local priorities, through the control of a "single pot". In the Heart of the South West the Joint Committee or a future Combined Authority would be a credible alternative to the LEP in performing that function;
4. As proposed by the LGA, the government should take the opportunity to devolve further powers over economic development to local area e.g. skills;
5. The fund should be "rural proofed" and account for any changes in agricultural subsidies; and
6. The new fund should be designed in a way that minimises bureaucracy and waste.

2.4 Agriculture and fisheries

Agriculture and fisheries are likely to be the sectors most affected by Brexit, as for the first time since the 1970s policy on those matters will be set domestically. The future subsidy and regulatory regime is of critical importance to farmers and fishermen. The government has provided little detail about what the regimes will look like after the end of this Parliament.

Migration and trade are almost equally important to these sectors. The National Farmers Union, for example, is campaigning for "continued access to the EU single market with minimal tariff and non-tariff barriers" and migration arrangements that "recognise the crucial importance of migration for certain sectors of the UK economy, both low and high skilled, and be based on a realistic expectation of the ability and

availability of UK workers to fill the jobs currently carried out by EU migrant workers.”

4.2.5 Confidence and investment

Business confidence affects their willingness to recruit staff, take risks and invest in their business and this is important for long-term economic growth. Uncertainty can be bad for business investment, particularly foreign investment and R&D.

Policymakers should seek to reduce uncertainty where possible, and seek to support business investment in other ways (e.g. through additional government investment).

2.6 Intra-UK migration

Changes in the supply and demand for labour may change intra-UK migration flows that local authorities will need to be responsive too. It has also been speculated that Brexit might lead to more people choosing to retire in the UK, rather than in EU countries (Spain has been a popular destination up until now). Devon is already one of the most popular destinations in the UK for retirees. Further flows from within the UK could represent a boost to the economy, as those people spend their money in the local economy. It could also create pressures, particularly on housing and the costs of health and social care.

Electoral Divisions: All

Leader of the County Council: Councillor John Hart

[Local Government Act 1972: List of Background Papers](#)

⁴ National Farmers Union: “Access to a competent and flexible workforce” and “A new outlook on International Trade”

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Annex A: Current government policy on key issues (Source: www.gov.uk)

“Immigration and freedom of movement

DExEU is working closely with the Home Office and other government departments to identify and develop options to shape our future immigration system, including considering the best way to control the number of people coming to the UK following our exit from the EU.

At every step of these negotiations we will work to ensure the best possible outcome for the British people.

Rights and status of EU nationals and UK nationals

The rights and status of EU nationals in the UK and UK nationals in the EU is unchanged as we approach our exit.

We want to seek the earliest agreement to protect the status of EU nationals who are already living in the UK, and the status of UK nationals already living in other Member States, following our exit. The Prime Minister has made clear that we stand ready to reach a deal on this right now. It remains an important priority for the UK and many other Member States to provide certainty to these groups as soon as possible.

Our future immigration system for EU nationals

We will remain an open and tolerant country, and one that recognises the valuable contribution migrants make to our society. However, the message from the public before and during the referendum campaign has been clear: leaving the EU must mean control of the number of people who come to the UK from Europe. We want to see net migration to the UK fall to sustainable levels.

DExEU is working closely with the Home Office and other Government departments to identify and develop options to shape our future immigration system.

Intolerance in the UK

We will not tolerate hate crime or any kind of attacks against people in our country because of their ethnic origin. We are a proud multi-faith, multi-ethnic society and we will stay that way.

The Government is committed to tackling hate crime, which is why we have published a Hate Crime Action Plan which focuses on reducing hate crime, increasing reporting and improving support for victims. We have also launched a new funding scheme to help protect places of worship.

Exiting the EU and trade

Leaving the EU offers us an opportunity to forge a new role for ourselves in the world: to negotiate our own trade agreements and to be a positive and powerful force for free trade. The UK has always been a leading voice for free trade in the EU and globally. Outside the EU, we will have the complete freedom to pursue this approach and to push for more open, global trade, supported by strong global institutions like the WTO.

The single market

The single market works by treating EU member states as a single economic area. It means businesses can trade goods across the EU without paying tariffs. The single market for services seeks to remove barriers to businesses wanting to trade across borders, or to establish a company in another country.

We have ruled out being a member of the single market, as the PM said in the Lancaster House speech. EU leaders have made clear their view that members of the single market must sign up to the 'four freedoms' that underpin it - including the free movement of people - and be subject to the jurisdiction of the European Court of Justice. We respect that position.

Instead, we want a bold and ambitious Free Trade Agreement with the EU. This will enable free-flowing trade in both goods and services, and ensure the freedom for UK companies to trade with and operate within European markets.

We also intend to leave the Common Commercial Policy and for the UK not to be bound by the EU's Common External Tariff so that we can pursue our own independent trade policy, securing trade deals with new partners.

The Prime Minister created the Department for International Trade for this purpose. We will agree a new customs arrangement with the EU to ensure that trade with the EU is as seamless and frictionless as possible, including between Northern Ireland and the Republic of Ireland.

The customs union

Negotiating new comprehensive UK trade agreements is a priority for the Government as we leave the EU. We want to have a new, mutually beneficial customs agreement with the EU that supports these objectives, but we have an open mind about the form of that agreement.

EU funding

We will guarantee EU structural and investment projects that are signed before the UK leaves the EU, even if they continue beyond our EU departure. This is provided they represent good value for money and are in line with the UK's strategic objectives.

Agenda Item 13

UK organisations making bids directly to the European Commission (institutions, universities and businesses) should keep applying for funding.

Over the next few months, the Government will engage closely to review EU funding schemes, so any ongoing funding commitments best serve our national interest.

Legislation

Our EU membership means that EU law currently applies in the UK. To ensure a smooth transition and provide certainty, wherever practical and appropriate, we are going to turn existing EU law into UK law. After this, our Parliament can change, repeal, and improve any law it chooses. All Government departments are currently reviewing the EU laws that apply in their areas and how our withdrawal from the EU will affect how these laws work.

What is needed to leave the EU

In March 2017, we introduced the European Union (Notification of Withdrawal) Bill, which was necessary to implement the referendum result and respect the judgment of the Supreme Court. It was passed by Parliament and given Royal Assent in March.

The European Communities Act will be repealed on the day we leave the EU – meaning that the authority of EU law in the UK will end. We will convert the body of existing EU law into domestic law and then Parliament will be free to amend, repeal and improve any law it chooses.

Without the Repeal Bill, there would be large gaps in the UK statute book after we left the EU. This process will give businesses and workers maximum possible certainty as we leave the EU. Existing workers' legal rights will remain guaranteed in law.

FARMS ESTATE COMMITTEE

11 December 2017

Present:-

County Councillors:

Councillors C Chugg (Chair), J Brook, J Berry, A Dewhirst, C Whitton and J Yabsley

Co-opted Members:

C Latham (Tenants' Representative)

Attending in accordance with Standing Order 25

Councillors A Saywell and R Hosking

* 19

Minutes

RESOLVED that the minutes of the meetings held on 18 September 2017 and 16 October 2017 be signed as correct records.

* 20

Items Requiring Urgent Attention

Bicton and Duchy College – Level 4 Apprenticeship Farm Business Planning Programme

The County Farms Estate would be resurrecting its close links and working with the Bicton and Duchy Colleges to support their Level 4 Apprenticeship Farm Business Planning Programme where a mock 'viewing day' was planned to take place at North Ground Farm, Chillaton, by kind permission of the current tenant.

It was **MOVED** by Councillor Chugg, **SECONDED** by Councillor Brook and

RESOLVED that a cup or trophy and a £250 prize fund be made available to the Level 4 apprentice with the best farm business plan and presentation.

* 21

Chair's Announcements

(a) Standards Committee

Mrs Saltmarsh attended the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

(b) Farmwise Devon

The Chair requested that Surfers Against Sewage be invited to participate in the 2018 Farmwise event to promote the Plastic Free Coastline Campaign and the reduction in use of single-use plastic products.

* 22

Revenue Monitoring (Month 7) 2017/18

The Committee received the Report of the County Treasurer (CT/17/104) on the County Farms Estate Month 7 Revenue Monitoring Statement for 2017/18, noting the target surplus of £382,000 and detailing income and expenditure to date.

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* 23 Capital Monitoring (Month 7) 2017/18

The Committee received the Report of the County Treasurer (CT/17/105) on the County Farms Estate Month 7 Capital Monitoring Statement for 2017/18, noting that the approved capital programme for 2017/18 included schemes totalling £600,000 and with scheme slippage of £1,483,554 resulted in a capital programme for 2017/18 of £2,083,554.

Members noted that the Enhancements and Improvements budget was committed and expected to be spent by year end but £518,774 of slurry store construction funds were forecast to slip into 2018/19.

* 24 Shallowford Farm - Transforming Lives on the Farm

Mr W Dracup from the Shallowford Trust attended and gave a presentation on Shallowford Farm, which was a high moorland Dartmoor farm of approximately 5 acres near Widecombe-in-the-Moor. The Shallowford Trust was strongly connected with a youth and community centre in Battersea, London called Providence House, where young people of all ages and backgrounds travel to Shallowford Farm in Devon to experience a different way of life - from night walking on the Moor to helping with jobs on the farm and learning about country life. Looking ahead, Shallowford Trust was looking to help others closer to home.

The Shallowford Trust's website could be found at: <http://shallowfordfarm.co.uk/>.

* 25 Fresh Start Land Enterprise Centre

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/16) on the Fresh Start Land Enterprise Community Interest Company which had brought together a number of national projects and initiatives aimed at supporting farming businesses from start-up through to succession. Fresh Start was supported by a number of organisations, including The Prince's Trust Countryside Fund and NFU Mutual.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Dewhirst, and

RESOLVED

(a) that support for development by the Estates Land Agents, working with Alison Rickett, Managing Director of Fresh Start Land Enterprise Centre, of a Fresh Start Academy and an individual mentoring scheme, open to all County Farms Estate tenants be approved; and

(b) that funding from the County Farms Estate revenue budget for sponsorship of the cost of running the Fresh Start Academy up to a cap of £5,000 per annum with the intent that attendance by County Farms Estate tenants should be free or substantially subsidised be approved.

* 26 Management and Restructuring Issues

(Mr C Latham declared a disclosable pecuniary interest in this item at paragraph (b), The Marwood Estate, by virtue of being the tenant of land or property affected and withdrew from the meeting during its consideration.)

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/17) on County Farms Estate Management and Restructuring issues.

(a) Baxters Farm, Musbury

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

RESOLVED

- (i) that the farmhouse, buildings and 2.45 acres or thereabouts of land at Baxters Farm, Musbury be declared permanently surplus to the operational requirements of the Estate and sold; and
- (ii) that the 68.81 acres or thereabouts of land at Baxters Farm be offered to the tenant of Waterford Farm on a fixed term Farm Business Tenancy Agreement commencing 25 March 2018 and terminating 25 March 2022, subject to terms being agreed.

(b) The Marwood Estate

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

RESOLVED

- (i) that acceptance of the tenant's early surrender of Chapel Farm, Marwood, effective at 25 March 2018, be endorsed;
- (ii) that the reletting of the bungalow, buildings and up to 268.23 acres (in lots) or thereabouts of land at Chapel Farm, Marwood as an equipped residential dairy holding
 - (1) firstly, in internal competition as a progression opportunity for existing estate tenants on a Farm Business Tenancy commencing 25 March 2018 and expiring 25 March 2033 or an earlier term date affording the successful applicant a maximum 25 years on the Estate, subject to terms being agreed or, if not let internally, then
 - (2) secondly, to advertise the holding on the open market to new entrants and on a Farm Business Tenancy commencing 25 March 2018 and expiring 25 March 2025, subject to terms being agreed, be approved.
- (iii) that landlord's consent be approved in principle for the prospective tenants of Chapel Farm, Marwood, to install a new herringbone milking parlour and potential dairy and all associated services, plant and equipment in the landlord's new building, subject to:
 - (1) the physical/structure works to construct the parlour pit, cow standings, walls, ceilings and drains, and the dairy having a life expectancy of 25 years and thus the value of this part of the improvement will be written down on a straight line basis from the approved cost of making the improvement (the lowest of three competitive quotes) to £100 over a 25 year term;
 - (2) the tubular steel work for the parlour, the plant and equipment, services and in-parlour feeders having a life expectancy of 10 years and thus the value of this part of the improvements will be written down on a straight line basis from the approved cost of making the improvement (the lowest of three competitive quotes) to £100 over a 10 year term;
 - (3) should the tenant be required to replace any significant items of worn out plant and equipment such as compressors, milk pumps, plate coolers etc. during the residual term of the tenancy then the cost of any such replacement will be written down on a straight line basis over a period of 10 year commencing on the date the replacement is made and added to the compensation value of the remainder of the original parlour and dairy referred to in paragraph 2 above;
- (iv) that the reletting of the bungalow, buildings and 94.10 acres or thereabouts of land at Prieford Barton Farm, Marwood as an equipped residential mixed livestock holding (expressly excluding the use of the holding as a dairy unit) on the open

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market to new entrants and on a Farm Business Tenancy commencing 25 March 2018 (or as soon as possible thereafter) and expiring 25 March 2025, subject to terms being agreed, be approved; and

- (v) that the 123.99 acres or thereabouts of land forming part Middle Winsham Farm, Braunton be temporarily offered to let to the prospective tenants of Chapel Farm and/or Prieford Barton Farm, Marwood for the term 25 March 2018 to 25 March 2021, subject to terms being agreed, be approved.

* 27 The County Farms Estate - Business start-up opportunities

The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/18) on the Potential for Wider Rural Business Start-up Opportunities, which followed the recommendations of the Farms Estate Strategic Review Report (March 2010) which stated, *'That the Authority should recognise the multi-functionality benefits of the Estate and acknowledge the social, economic and environmental value of the farms'*.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Yabsley and

RESOLVED

(a) that, wherever feasible and viable, consideration be given to offering surplus or potentially surplus in hand buildings to let for wider rural business start-up opportunities on a subject to contract and planning basis; and

(b) that existing tenants be encouraged to consider offering, with landlord's conditional consent, surplus or potentially surplus in hand buildings as sublets for wider rural business start-up opportunities on a subject to contract and planning basis.

* 28 Actions taken under Delegated Powers

The Committee noted the action taken by the Head of Digital Transformation and Business Support, in accordance with Part 3 of the County Council's Constitution, in approving the acceptance of the tenant's agreement to surrender the tenancy of Baxters Farm, Musbury.

* 29 Exclusion of the Press and Public

RESOLVED 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 Paragraphs 1, 2 and 3 of Schedule 12A of the Act, namely information relating to, and which was likely to reveal the identity of, tenants and information relating to the financial or business affairs of tenants and 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 outweighed the public interest in disclosing the information.

* 30 Holdings and Tenancies etc.

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

(a) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/19) on the monitoring of tenants on an initial Farm Business Tenancy.

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Dewhirst and

RESOLVED

(i) that letters be sent to the tenants of Merrifield Farm, Holsworthy and Little Stone Farm, South Molton recording the current and satisfactory level of competency attained to date; and

(ji) that the tenant of Middle Winsham Farm, Braunton be notified that he will not be granted a further tenancy and that possession of the holding will be required at the end of the current tenancy term of 25 March 2021 to enable the farm to be relet.

(b) The Committee received the Report of the Head of Digital Transformation and Business Support (BSS/17/20) on requests for landlord's consent to proposed tenant's improvements.

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Dewhirst and

RESOLVED that landlord's consent be granted for the tenant to demolish and remove the landlord's concrete block and ACM roof parlour, dairy and calving boxes to form an open yard for cattle; to demolish a redundant landlord's kennel building and replace it with a 60' x 30' or thereabouts and 21' to eaves galvanised steel portal framed general purpose building; and construct another 60 x 25' or thereabouts and 18' to eaves galvanised steel portal framed general purpose building tenant's improvement at Higher Leigh Farm, Churchstow subject to the improvements being written down in value to £100 on a straight line basis over a life expectancy of 25 years.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.45 pm

1. *The Minutes of this Committee are published on the County Council's Website.*
2. *These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*
3. *Members of the Council have been granted a dispensation to allow them to speak and vote in any debate as a consequence of being a representative of the County Council on any County Council wholly owned, controlled or joint local authority company or Joint Venture Partnership unless the matter under consideration relates to any personal remuneration or involvement therein.*

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SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING		
Cabinet Remit/Officer	Matter for Decision	Effective Date
Policy and Corporate	Approved the terms and transactions to execute all necessary legal documents to which it is a party to facilitate the conversion of West Exe School to an academy.	12 December 2017
Resources & Asset Management	Fin 548 – Variations to the Capital Programme 2017/2018	15 December 2017
	Fin 549– Variations to the Capital Programme 2017/2018	4 January 2018
Infrastructure, Development and Waste	Approval to vary the content of the North Devon Link Outline Business Case	12 December 2017

The Registers of Decisions will be available for inspection at meetings of the Cabinet or, at any other time, in the Democratic Services & Scrutiny Secretariat, during normal office hours. Contact details shown above.

In line with the Openness of Local Government Bodies Regulations 2014, details of Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>

CS/18/01
Cabinet
10th January 2018

PENINSULA FOSTERING IN INDEPENDENT FOSTERING AGENCY PLACEMENTS (CP1519-17): OUTCOME OF TENDER AND AWARD OF CONTRACT

Report of the Chief Officer Children's Services

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation:

That approval be given to the contract award recommendations set out in Report CS/18/02, as above.

1. Introduction

- 1.1 This contract, which is a Framework Agreement, is for the provision of fostering placements for children in care, staying put placements for young adults and for parent and child placements.
- 1.2 Family based care is the preferred model of care for most children in care; providing local, family-based placements, which offer emotional warmth, security, aspiration and a commitment to achieving positive outcomes. Furthermore, such placements provide good value for money and ensure the right to family life for children in care.
- 1.3 The aim is to increase the range and quality of foster placements, particularly for those with more complex needs or challenging behaviours
- 1.4 This is a South West Peninsula Procurement developed from a longstanding collaboration between Cornwall Council, Devon County Council, Plymouth City Council, Torbay Council and Somerset County Council. Oversight is provided from the Peninsula Childrens Services Commissioning Board (PCSCB). The Framework Agreements, will each be for four years commencing on the 1st April 2018.
- 1.5 The Framework Agreements are divided into 3 geographical areas; Somerset, Devon (including Torbay and Plymouth) and Cornwall. Each Lot will be entered into between the relevant member of the Peninsula Children's Services Commissioning Board (PCSCB) and the Provider. Devon County Council will enter into the agreement on behalf of Plymouth and Torbay but each authority is responsible for entering into the individual placement contracts with the provider.
- 1.6 There are two separate Framework Agreements, one for Parent and Child Fostering and one for Standard and Enhanced Fostering. The separation of Frameworks is mainly due to the difference in terms and conditions. The

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Standard and Enhanced Fostering Frameworks are then divided into two separate Lots.

Lot 1 Standard Fostering These placements will be required for children with a broad range of needs, including emotional and behavioural issues, physical and learning disabilities and sensory impairment. Placements will be needed for a variety of reasons and durations, including short term, long term, shared care, to support rehabilitation to family or progression to independent living.

Lot 2 Enhanced Fostering Enhanced fostering placements are required for those children and young people with significantly complex needs, above those which would usually be considered for fostering. These children and young people require a bespoke foster placement with an individual package of support and care which is designed to support their additional needs.

Lot 3 Parent and Child Fostering Parent and child placements are used to assess the capacity of a parent to care safely for their child or children. These placements take place in a family home supported by registered foster carers or in the community, monitored by outreach support delivered by professionals.

1.7 The new Independent Fostering contract will increase placement availability, easing the sufficiency issues within the market. Placements will be based on Price Ranking from suitably qualified providers.

1.8 Total Estimated Cost for 4-year contract period for whole Peninsula:

Lot 1 Standard Fostering: £95,960,000

Lot 2 Enhanced Fostering: £10,800,000

Lot 3 Parent and Child Fostering: £5,954,792

4 year total	Standard	Enhanced	P & C	Total
Cornwall Council	£15,200,000	£2,160,000	£1,976,792	£19,336,792
Plymouth CC	£15,560,000	£2,160,000	£1,014,000	£18,734,000
Torbay	£10,400,000	£2,160,000	£760,000	£13,320,000
Devon CC	£29,960,000	£2,160,000	£1,540,000	£33,660,000
Somerset	£24,840,000	£2,160,000	£664,000	£27,664,000
Total	£95,960,000	£10,800,000	£5,954,792	£112,714,792

1.9 The total budget for Devon County Council across all three Lots is £33,660,000.

1.10 The value of the contract may vary due to an increase or decrease in the purchase in care volumes.

2 Context and contract design

- 2.1 This contract will replace the current Peninsula Framework contract for fostering (all Peninsula Authorities), and the Cost and Volume for Fostering contract (Plymouth, Devon and Torbay).
- 2.2 This contract was previously unsuccessfully tendered in November 2016. The previous tender was evaluated based on price and quality criteria, the financial element included price caps (a financial threshold which bidders could not exceed) and a selection of quality questions. Several potential providers either did not bid, did not meet the quality criteria, or did not return a compliant bid. This resulted in a tender where there were insufficient providers to meet demand throughout the Peninsula. It was decided not to award the contract and a simplified tender was launched with a focus on price and price ranking
- 2.3 The fostering market is a competitive market with a good range of fostering agencies. Securing a range and choice of skilled and experienced foster carers who are well supported will positively impact on placement stability and matching, and there will more opportunity to prevent children moving into residential care and for “step down” from residential to foster care.
- 2.4 For this tender, bidders were able to bid for any one or all of the following Lots:

Lot 1 Standard Fostering

- Lot 1a – Cornwall Council
- Lot 1b – Devon Geographical area consisting of: Plymouth City Council, Devon County Council & Torbay Council
- Lot 1c – Somerset County Council

Lot 2 Enhanced Fostering

- Lot 2a – Cornwall Council
- Lot 2b – Devon Geographical area consisting of: Plymouth City Council, Devon County Council & Torbay Council
- Lot 2c – Somerset County Council

Lot 3 Parent & Child

- Lot 3a – Cornwall Council
- Lot 3b – Devon Geographical area consisting of: Plymouth City Council, Devon County Council & Torbay Council
- Lot 3c – Somerset County Council

The Framework Agreement will contain multiple providers, who will be listed against individual Lots.

3. Financial Considerations

The financial impact of the contract is set out in the Part 2 report.

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4. Sustainability Considerations

- 4.1 A Sustainability Impact Assessment was conducted pre-procurement. The pre-procurement process was extensive, and included consideration of the local economic, environmental and social needs of the local area.
- 4.2 The Likelihood and Impact scores for this tender were low, but were all considered; with possible methods of risk and impact reduction inserted into the specification. Areas where added Social Value Benefits were identified, were also incorporated into the specification.

5 Equality Considerations

- 5.1 Each Local Authority was required to complete an individual Equalities Impact Assessment. A detailed impact assessment was undertaken at the pre-procurement stage of this project and the outcomes reflected in the construction of the tender and as such meets our equality duties (available on request). The equality impact of the contract is summarised in the Part 2 report.

6. Risk Management

- 6.1 Risks identified as part of the process included the financial risks of an escalating budget. These have been mitigated by using price as 100% criteria for ranking providers creating a competitive market. A development plan was also requested as part of the submission, which included measures to increase capacity and volume of foster carers.

7. Summary/Conclusions/Reasons for Recommendations

- 7.1 Placements will be based on price ranking from the suitably qualified providers. These efficiencies will allow DCC to ensure the sustainability of the service despite budgetary pressures and allow for the increase of service delivery to allow for sufficiency in the market.

Electoral Divisions: All

Cabinet Member for Children's Services: Councillor James McInnes

Head of Children's Commissioning: Fiona Fleming

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for Enquiries: Peter Taylor (Senior Commissioning Officer) and Nicola Tribble Head of Category (People)

Tel No: 01392 382300 *Annexe Floor 1*

<u>BACKGROUND PAPER</u>	<u>DATE</u>	<u>FILE REFERENCE</u>
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ACH/18/76

Cabinet

10 January 2018

JOINT CARERS CONTRACT (CP1426-17): OUTCOME OF TENDER AND AWARD OF CONTRACT

Report of Chief Officer Adult Care and Health, and the Chief Officer Children's Services

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendations:

That approval be given to the contract award recommendations set out in Report ACH/18/77.

1. Introduction

- 1.1 The Joint Carers Services is for the provision of Carer Support Services for Adult Carers (Lot 1) Young Carers (Lot 2).
- 1.2 Carer Services in Devon are provided under joint commissioning arrangements between Devon County Council, Northern, Eastern and Western (NEW) Devon Clinical Commissioning Group (CCG) and South Devon and Torbay.

The County Council is the lead agency in the Devon Carers Partnership and the contract will be held by DCC.

- 1.3 The contract provides functions necessary to fulfil requirements of the Care Act 2014, and, the Children and Families Act 2014 (including the Childrens Act 1989).

Adult Carers (Lot 1) supports the objectives and outcomes of the Joint Strategy for adult Carers. The specification incorporates (in brief):

- Promotion of community support for carers;
- support to practice and carer awareness training in health and social care including GP Practices;
- early identification of Carers, and identification at key points in the caring journey (such as diagnosis of or the worsening of a progressive condition of the cared-for person)
- information and advice services;
- support to Peer Support;
- training to enable carers to care safely and confidently and to look after their own health;

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- the development of a network of volunteer Carer Ambassadors in touch with Carer networks, informing the networks and Commissioners;
- delegated Carer Assessments, Reviews and Support Planning
- 1:1 support to Carers, particularly at key points in the caring journey
- Support in important life stages, such as transition to adulthood, end of life care and the post-caring period
- Dedicated links to GP Practices, Health and Social Care Teams, Acute and community Hospitals and Mental Health Services
- Access via digital and telephone
- Volunteer services including a volunteer-resourced helpline to provide reassurance call-backs, for example for isolated sole carers.
- Information, advice and signposting for Parent Carers of children with additional needs.

The service will work to the same practice standards as DCC care management staff, including promoting independence and building carer resilience. The contract requires the provider to support the promotion of good health among carers and good self-care.

The specification is designed to be as sustainable as possible, especially through increased community support, increased volunteer involvement and increased peer support, and these are key changes from the current design.

The young carers' service plays a key role in delivering statutory duties and responsibilities held by the local authority. These duties include the identification of young carers across Devon which is both proportionate and reasonable, assessments for young carers, intervention and transition. Section 96 of the Children and Families Act (2014) describes a young carer as "a person under 18 who provides or intends to provide care for another person (of any age except where that care is provided for payment pursuant to a contract or as voluntary work). This can relate to care for any family member who is physically or mentally ill, frail, elderly, disabled or misuses alcohol or substances".

The Young Carers Service (Lot 2) has been designed to be delivered as part of Devon's Early Help Offer, adopting a multi-agency partnership approach whereby targeted service intervention will be provided for young carers. This includes a requirement to work in close partnership with adult services particularly substance misuse, mental health and learning disability to support and identify young carers who may be 'hidden' due to parental issues; alongside signposting young carers and their families to a wider system of support and services available to them. The design of the targeted service offer (Getting Advice, Getting Help, and Getting More Help) has been influenced by what young carers have told us during engagement and facilitates in targeting support for our most complex young carers with multiple vulnerabilities. In addition a focus on reaching young carers who identify themselves as LGBT+, have particular cultural, language, religious beliefs or who are a disabled child.

- 1.3 The total estimated value of Adult Carers (Lot 1) is £10.9 million over 5 years, and for Young Carers (Lot 2) £1.125 million over 5 years. The contract will be

for a 5 year term with an option to extend for up to a further two single year periods

2. Contract Design and Engagement

2.1 This contract will consolidate changes arising from the Care Act 2014, and, Children and Families Act 2014.

The importance of investment of support to Carers to promote the well-being of carers and to manage demand on the health and social care system is well documented.

The new contract has taken full account of extensive engagement and feedback from carers so that it is responsive to the developing needs of Devon's diverse populations. This will be achieved through:

- Increased links with community and voluntary organisations and services
- Increased integration and collaboration with health and social care services
- Focusing on access to the right kind of support at the right time
- Identification and recognition of carers early and at key points of the caring/life journey
- Provider staff having the skills and training necessary to undertake the role and promote independence and resilience

The engagement and consultation process included 21 full and half-day engagement events with Carers over a period of 4 months; additionally, there were 2 online surveys accessible over a period of 6 months and a week-long "drop-in" engagement event during Carers' Week.

In addition, Carers participate fully as partners in the Carers Strategy Delivery Board, the monthly Carers Working Group, and in contract monitoring of the current contract. This will continue under the new contract arrangements. Carers are also fully involved in contributing to other meetings and workshops required to design and deliver their support.

Engagement has also been undertaken with parent carers through the Special Educational Needs and Disabilities (SEND) Improvement Programme, and with the Young Carers Steering Group.

Service design reflects what young carers have told us during engagement and strengthening of the Devon Early Help offer and practice will help to build resilience, allowing young people and families to find their own solutions to challenges, achieve the right support at the right time, thus preventing the need for families to access statutory services. Young people will also be supported to achieve their potential.

This contract will contribute to the sustainability of the health and social care system in Devon as the Department of Health, in publishing its Care Act 2014 Impact Assessment, reports that for each £1 spent on supporting carers would save councils £1.47 on replacement care costs and benefit the wider health system by £7.88.

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Additionally this contract will support the sustainability of the Devon economy by ensuring carers are supported and remain able to continue caring. The value of carer work to the Devon economy is estimated at £1.63bn per annum.

- 2.2 The tender process allowed for bids against either or both lots (as defined below) to allow as many providers as possible to bid.
- Lot 1 Adult Carers
 - Lot 2 Young Carers

3. Financial Considerations

- 3.1 The financial impact of the contract is detailed within Part II.

4. Sustainability Considerations

The service will make best use of the assets of communities to support the wellbeing and promote the independence of vulnerable people and their carers. The service will rely on local employment and be enhanced by effective use of local volunteers.

The Young Carers Support Service will have a positive impact through reducing the amount of inappropriate caring undertaken by young people and by increasing positive outcomes for these young people (education, engagement etc.).

5. Equality Considerations

- 5.1 A detailed impact assessment was undertaken at the pre-procurement stage of this project and the outcomes reflected in the construction of the tender and contract documentation and in the evaluation of the tenders and as such meets our equality duties. The Equalities Impact Assessment is available at <https://new.devon.gov.uk/impact/published/page/3/>

6. Risk Management

It was recognised at an early stage that the changes in legislation, UK Government policy and Social Work practice required a different response in this contract to the previous one. To mitigate inherent risks, significant engagement and research activity was undertaken to develop the specification and this included consultation and market engagement.

7. Summary/Conclusions/Reasons for Recommendations

- 7.1 There has been an extensive period of engagement and consultation with carers, staff and providers followed by a procurement process. Due regard has been made to equality considerations in coming to this point.

Electoral Divisions: All

Cabinet Member for Adult Social Care & Health Services: Councillor Andrew Leadbetter

Cabinet Member for Children's Services: Councillor James McInnes

Senior Manager – Commissioning: Ian Hobbs

Head of Children's Commissioning: Fiona Fleming

LOCAL GOVERNMENT ACT 1972: LIST OF BACKGROUND PAPERS

Contact for Enquiries: Sue Younger Ross (Joint Carers Lead) and Nicola Tribble (Head of Category (People))

Tel No: 01392 382300 Annexe Floor 1

BACKGROUND PAPER DATE FILE REFERENCE

Impact Assessment

Version 2016

Assessment of:	Retender of Joint Carer Services
Service:	Adult Commissioning & Health (ACH); Children's Services (CS)

Head of Service:	Tim Golby (ACH); Mark Lines (CS)
Date of sign off by Head Of Service/version:	16/8/17
Assessment carried out by (incl. job title):	Owain Bale, Business Analyst (ACH)

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Section 1 - Background

Description:	<p>Carer Services in Devon are provided under joint commissioning arrangements between Devon County Council (both Adult Care & Health, and Children's Services), and Northern, Eastern and Western (NEW) Devon Clinical Commissioning Group (CCG), and South Devon and Torbay CCG.</p> <p>This arrangement is known as the Devon Carers Partnership in which Devon County Council is the lead partner known as the 'Service Purchaser' in the contract.</p> <p>Carer Services in Devon form part of the wider Devon Carers Partnership's <i>Carers in Devon: Joint Strategy 2014-2019</i>.</p> <p>This impact assessment is informing the recommissioning of the overall carers contract to commence from April 2018 which will be out to tender during August 2017.</p> <p>The new contract/service will be known as <i>Caring Well in Devon</i> for adult carers of adults, the new</p>
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	<p>contract/service will be known as the Young Carers Support Service for young carers.</p> <p>We are increasing the value of the contract in order to meet the needs of carers, however demand is likely to continue to increase and therefore we have sought a more sustainable approach to providing additional support to Carers to meet their needs.</p>
<p>Reason for change and options appraisal:</p>	<p>The current contract runs until 31st March 2018. The new two-lot (adults and children's) contract will consolidate changes arising from the Care Act 2014.</p> <p>There is a developing body of research which highlights the importance of investment in support to Carers in order to manage demand on the health and social care system.</p> <p>There is also a need to respond to the demand experienced by Devon County Council and its NHS partners as a result of an increasing population which is also an ageing population presenting with increasing complex needs. An emphasis on promoting independence and resilience is required to ensure that people have these needs met as required by law, and to ensure that the local authority is able to continue with meeting its Public Finance legal duties.</p> <p>The Centre for International Research on Care, Labour and Equalities (CIRCLE) and the University of Leeds identified¹ that cost savings to health and social care could be achieved, relating to: preventing hospital or residential care admissions; supporting carers to sustain their caring role; earlier identification of physical and/or mental health issues; improved health and well-being of carers; improved partnership working; efficiency savings in GP practices; assisting carers to return to, or remain in, paid work; the establishment of informal support networks among carers.</p>

¹ Centre for International Research on Care, Labour and Equalities (CIRCLE), University of Leeds (2011) *New Approaches to Supporting Carers' Health and Well-being: Evidence from the National Carers' Strategy Demonstrator Sites programme*. CIRCLE: Leeds.

The following table, adapted from the above research/report, provides further information about the local picture of Carer population and “resource value” compared to the regional and national picture:

	Carers 2015 <i>(number)</i>	Change	Change	Value in 2001 <i>(£m)</i>	Value in 2011 <i>(£m)</i>	Value in 2015 <i>(£m)</i>	Change		Change	
		in no. of carers 2001-15 <i>(%)</i>	in no. of carers 2011-15 <i>(%)</i>				2001-15 <i>(£m)</i>	<i>(%)</i>	2011-15 <i>(£m)</i>	<i>(%)</i>
Devon	89,043	23.0 ↑	4.9 ↑	801	1,501	1,611	810	101.0 ↑	110	7.3 ↑
South west	600,612	22.0 ↑	5.3 ↑	5,450	10,170	10,947	5,497	100.8 ↑	778	7.6 ↑
England	5,712,398	17.7 ↑	5.2 ↑	55,443	100,973	108,418	52,975	95.5 ↑	7,445	7.4 ↑
UK	6,826,752	16.5 ↑	4.9 ↑	68,405	123,321	132,003	63,598	93.0 ↑	8,682	7.0 ↑

Our response to these drivers has been to undertake extensive engagement with Carers about our overall strategic approach and their needs in the context of increasing demand so this contract can also better respond to the support carers are telling us that they require.

Engagement with Carers has directly informed the new service specification(s) for the Service Provider(s) of Caring Well in Devon and the Young Carers Support Services and these changes are reflected in the service specification(s) and its schedules.

Consideration was given to options about continuing with commissioning services for Carers in Devon, or to

'reintegrate' these back into the respective care management functions. The decision was made to continue with commissioning externally, as has been the case for a number of years, as the evidence is that this has delivered Best Value in terms of cost to the Local Authority, significant improvements in Carer identification and recognition, and achieving positive outcomes reported by Carers.

This recommissioning is part of the Joint Carers Strategy agreed for 2014-2019.

A decision was made within Childrens' Social Care to separate the services for adult carers of adults from young carers as separate 'lots' (Caring Well in Devon, and, Young Carers Support Service) for tender. This may result in different providers of the Caring Well in Devon and the Young Carers Support Service as a result. The reason for this change is:

- To take account of the wide range of feedback we have had from young carers about the improvements they want from the service. This has directly informed the new specification for the Young Carers Support Service;
- To encourage more children's specific providers to bid. (This will however mean that the new provider will have to link closely with the adult carer provider to ensure an 'all age service' across the county continues);
- To ensure that Young Carers receive a specialised and focused service relevant to their needs from a provider with experience and skills in this area of work;
- To be able to evidence specific impact of the Young Carers service on the needs of young people;
- To encourage greater competition and creativity within the market.

Section 2 - Key impacts and recommendations

Social/equality impacts:	<p>There will be a direct impact on Carers living in the Devon County Council area, as well as adult Carers living outside of Devon and caring for an adult with needs who lives in the Devon County Council area.</p> <p>As of the last census (2011) there were 84,492 Carers (over the age of 18) in Devon, accounting for 11.32% of the population of Devon. This is greater than the national average where 10.33% of the population in England</p>
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and Wales are Carers.

Devon County Council, and the current provider, are in contact with and provide support to varying degrees to approximately 17,000 adult carers and about 4,000 young carers.

There are also approximately 17,000 children and young people identified with Special Educational Needs and/or Disability (SEND) in Devon; presently, 22% have a Statement or Education Health and Care Plan (EHCP).

There will be an indirect impact on people for whom Carers care for ('cared-for people') across all age groups.

There will be direct and indirect impact, of varying degrees, across all protected characteristics under the Equality Act 2010.

Further information about Carers (over the age of 18) in Devon can be found [here](#).

As a result of this tender, the successful provider will contribute to our strategic goals of:

- Carers' independence and autonomy are promoted and supported;
- Carers' contributions to the health and care of the person(s) for whom they care (and that of others for whom they have responsibilities) are optimised;
- Carers' own health and wellbeing is protected and maximised;
- Carers' contributions to the sustainability of health and social care services are optimised.

Environmental impacts:

Not applicable.

Economic impacts:

Prior to the enactment of the Care Act 2014 NHS Improving Quality provisionally estimated that that Carers save the UK economy £119bn per annum².

More recent research following the Care Act 2014 published by CarersUK³ reports that:

² NHS Improving Quality (2014) *Commitment for Carers*. NHS Improving Quality: London

³ Centre for International Research on Care, Labour and Equalities (CIRCLE), University of Leeds, University of Sheffield (2015) *Valuing Carers 2015*. CarersUK: London

- The economic value of the contribution made by carers in the UK is now £132 billion per year almost double its value in 2001 (£68 billion).
- £132 billion is close to the total annual cost of health spending in the UK, which was £134.1 billion in the year 2014-2015. It is more than the market value of HSBC Holdings or Visa PLC.
- Carers' contribution is growing – the 2015 figure is 7% higher than the figure for 2011. This is mostly because carers are providing more hours of care (82%) and partly due to the increased hourly cost of paid homecare (18%).

A report published by Association of Directors of Adult Social Services (ADASS) in partnership with the Department of Health⁴ details that modelling undertaken by Surrey County Council (one of Devon County Council's comparator Local Authorities) indicates that if carer services are not sufficiently funded, 40% of carers could break down within a few months. With an estimated 10% of cared-for requiring public-funded services, based on the analysis undertaken by the Centre for International Research on Care, Labour and Equalities (CIRCLE), University of Leeds, University of Sheffield this would equate to £161.1m impact on the health and social care system in Devon.

A study by NHS England⁵ following research undertaken by the Royal College of GPs reports that in supporting Carers social return on investment (saving) of almost £4 for every £1 when Clinical Commissioning Groups (CCGs) invest in services which support carers in regards.

The Department of Health, in publishing its Care Act 2014 Impact Assessment⁶, reports that for each £1 spent on supporting carers would save councils £1.47 on replacement care costs and benefit the wider health system by £7.88.

The economic impact of recommissioning of carer services will be to maintain the value the carers give to the local economy by continuing to provide them with the support that they need in their caring role.

Other impacts (partner agencies, services, DCC policies, possible 'unintended

In supporting carers the following additional impacts should be felt as a result of Caring Well in Devon:

- The waste of carers' efforts is eliminated from the health and social care system and the full benefit of their contribution is realised in ways that reduce avoidable demand on services.
- Service use and emergency admissions to hospital and to residential care are reduced/delayed (as a

⁴ Department of Health, Association of Directors of Adult Social Services (ADASS), Carers Trust, CarersUK (2015) *Economic Case for Local Investment in Carer Support*. ADASS: London

⁵ <http://www.england.nhs.uk/commissioning/comm-carers/>

⁶ <http://www.legislation.gov.uk/ukpga/2014/23/impacts>

<p>consequences’):</p>	<p>result of the care given by the carer).</p> <ul style="list-style-type: none"> • Demands on social care are reduced/delayed by carers input. • The health and wellbeing of other people for whom the carer has responsibilities is protected. • Service use [of community and acute healthcare e.g. hospitals] is reduced. • More carers in crisis are supported as quickly, locally, and efficiently as possible. • More carers access preventive health and wellbeing services. • More carers are well informed and that they feel well supported and able to have the breaks they need see realised will be for service use and emergency admissions to hospital and to residential care being reduced/delayed (as a result of the care given by the carer). <p>The Young Carers Support Service will have a positive impact in reducing the amount of inappropriate caring undertaken by young people and in turn increase positive outcomes for these young people (education, engagement etc.).</p>
<p>How will impacts and actions be monitored?</p>	<p>Impacts and actions as a result of Caring Well in Devon will be monitored via:</p> <ul style="list-style-type: none"> • Regular, scheduled, contract monitoring – quarterly with provider senior management, and more frequently with operational management; • Use of Carer Ambassadors; • Reports to the Carers Strategy Delivery Board (CSDB); • Biennial Statutory Carers Survey; • Additional reporting and monitoring mechanisms are included as part of the Caring Well in Devon specification and schedule including a full performance management framework.

Section 3 - Profile and views of stakeholders and people directly affected

<p>People affected:</p>	<p>Public Health reports that the Carer population of Devon as of 2017 is 86,103.</p> <p>Out of the above number, as of 2017 there are 17,319 adult Carers, and 3,106 Young Carers known to the current Provider. 20,494 adult Carers are recorded on Devon County Council's social care case management system (CareFirst). <i>NB:</i> <i>Due to Data Protection constraints (not all Carers have given consent to the current Provider for their data to be shared with Devon County Council) it is not possible to be able to correlate and give an accreted number of known Carers.</i></p> <ul style="list-style-type: none">• 12% of Carers are also recorded as being an Adult with Needs (or Client) in receipt of personal care services. <p>As of 2017 there are 18,941 cared-for adults, and 1,358 cared-for children cared for by Carers known to the current Provider for a total of 20,299.</p> <ul style="list-style-type: none">• 11% of cared-for people have developmental or intellectual difficulties;• 1% of cared-for people have a long-term neurological condition;• 30% of cared-for people have a long-term physical condition;• 24% of cared-for people have a mental health difficulty;• 2% of cared-for people have a sensory impairment;• 32% of cared-for people fall into other categories such as substance misuse, end-of-life, and older people living with frailty. <p>Additionally, there are many Carers or other citizens who visit the Devon County Council website, or the website of the current Provider.</p> <p>The current Provider provides information, advice, and guidance to all identified Carers. Carers are also supported through signposting and referral to preventive and other services useful to Carers, e.g. the Depression and Anxiety Service, and replacement care in order to take a break or meet other needs.</p>
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Replacement care may be needed to enable a carer to look after their own health and wellbeing alongside caring responsibilities, and to take a break from caring. This is often also known as respite care. Under the Care Act this is provided as a service to the cared-for person and is chargeable to them. This form of provision falls outside the carer services contract with the exception of reimbursement of replacement care costs incurred by Carers in their attendance at arranged meetings, training, or other similar type events.

The current Provider provides training, the Carers' Alert Card, 1:1 support from a Carer Support Worker/Officer; a Carers' hospital discharge service also operates through the current Provider, and Carers can receive Health and Wellbeing Checks through their GP Practice supported by the current Provider.

Health and Wellbeing Checks/Carer Assessments are undertaken by the Provider and this may lead to the determination of eligibility for support which might result in the generation and provision of a Personal Budget which the Carer has a choice whether this is to be taken as a Direct Payment or as a commissioned service.

Parent Carers have been able to access the telephone line, newsletter, alert card, training and Health and Wellbeing checks.

Young Carers are able to access support from the current Provider.

Diversity profile and needs assessment of affected people:

Age

- 31% of Carers are recorded in the 18-64 age range
- 30% of Carers are recorded in the 65-84 age range
- 9% of Carers are recorded in the 85+ age range
- 30% of Carers have not provided their age for recording.

Ethnicity

Of the 20,494 Carers known to Devon County Council:

- 68.07% have their ethnicity recorded
- 0.56% have refused their ethnicity to be recorded

- 3.32% have not declared their ethnicity
- 27.42% where there is no data

Of those Carers who have their ethnicity recorded:

- 96.95% of Carers are recorded as English/Welsh/Scottish/Northern Irish/British
- 0.41% of Carers are recorded as Irish
- 0.03% of Carers are recorded as Gypsy or Irish Traveller
- 1.52% of Carers are recorded as Any other White background
- 0.09% of Carers are recorded as White and Black Caribbean
- 0.01% of Carers are recorded as White and Black African
- 0.07% of Carers are recorded as White and Asian
- 0.13% of Carers are recorded as Any other mixed/multiple ethnic background
- 0.11% of Carers are recorded as Indian
- 0.02% of Carers are recorded as Pakistani
- 0.04% of Carers are recorded as Bangladeshi
- 0.07% of Carers are recorded as Chinese
- 0.24% of Carers are recorded as Any Other Asian Background
- 0.05% of Carers are recorded as African
- 0.01% of Carers are recorded as Caribbean
- 0.04% of Carers are recorded as Any other Black/African/Caribbean background
- 0.06% of Carers are recorded as Arab
- 0.14% of Carers are recorded as Any other ethnic group

Sex/Gender

- 33% of Carers have identified as male;
- 66% of Carers have identified as female;
- Less than 1% identified as transgendered;

	<ul style="list-style-type: none"> • Less than 1% preferred not to disclose.
<p>Other stakeholders:</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 57</p>	<p><u>Devon County Council (DCC)</u></p> <ul style="list-style-type: none"> • DCC Councillors • DCC Head of Commissioning • DCC Head of Adult Social Care • DCC Senior Managers • DCC Care Management practitioners • DCC Care Management managers • DCC ICT Senior Managers • DCC Communications Senior Managers <p><u>Healthcare</u></p> <ul style="list-style-type: none"> • GP Practices • Clinical Commissioning Group(s) (CCG) Clinical Leads • Devon Partnership Trust (DPT) • Public Health • CCG Managers • Hospital Staff
<p>Consultation process:</p>	<p>There were twenty-one (21) full- and half-day engagement events with Carers over a period of four (4) months; additionally, there were two (2) online surveys accessible over a period of six (6) months, and a week-long "drop-in" engagement event during Carers' Week 2016.</p> <p>Carers also participate fully as partners in the quarterly Carers Strategy Delivery Board, the monthly Carers Working Group, and contract monitoring of the current Provider. Carers are also invited to contribute to other meetings and workshops as required.</p> <p>Work has also been undertaken with parent carers through the Special Educational Needs and Disabilities</p>

(SEND) Improvement Programme, and Young Carers Steering Group.

As well as engagement to inform ongoing implementation of the Devon Carers Strategy and the recommissioning of the contract, some carers in Devon participated in the Department of Health's national Biennial Carers Survey taken across all 151 local authorities. The results showed an overall decline in the satisfaction of participating Devon carers compared to the previous survey:

Carer-reported quality of life: From 41st to 124th.

Proportion of carers with as much social contact as they would like: From 62nd to 128th.

Overall carers satisfaction with social services: From 78th to 89th

Proportion of carers included in decisions about cared-for person: From 61st to 69th

Proportion of carers who find it easy to find information about services: From 82nd to 88th.

The Carers Strategy Delivery Board and Carers Ambassadors are discussing these findings, and four independent focus groups of carers have been commissioned to compare their experience of carers' support with those perceptions.

Research and information used:

Provisional information from the Department of Health in preparation for the new national strategy for Carers, the strategy was expected at the end of 2016 however this has been delayed and at time of writing no further information has been provided.

Information and analysis of the Biennial Statutory Carers Survey.

Ad hoc operational business intelligence and direct comments from Carers to the Commissioner.

Devon County Council [Policy](#) e.g. Promoting Independence Policy, Carers Policy et. al.

Various work(s) by Professor [John Bolton](#), Institute of Public Care.

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Page 59
- Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity and
 - Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)

Page 60
 Fair
 Necessary
 Reasonable, and

- Those affected have been adequately consulted.

Characteristics	Describe any needs and actual or potential negative consequences (e.g. disadvantage or community tensions) for the groups listed. (Consider how to mitigate against these).	Describe any needs and actual or potential neutral or positive outcomes for the groups listed. (Consider how to advance equality/reduce inequalities as far as possible).
<p>All residents (include generic equality provisions):</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 61</p>	<p>The new contract should not result in any negative consequences but has potential for a positive impact.</p>	<p>The intention under the new contract is to provide provision of a more equitable service to a greater number of Carers, meaning that some Carers will receive more support by means of Peer Support or volunteers. There will be a volunteer helpline, increased peer support, and increased coaching and mentoring. Carer needs will be reviewed where a service is in place and we will be able to identify individual outcomes for Carer Support Plans arranged under the new contract arrangements.</p> <p>As a result of the changes, the following positive outcomes will be delivered:</p> <ul style="list-style-type: none"> • Increased training opportunities for Carers to promote their wellbeing, remain resilient, and promote independence. • Less bureaucratic assessment processes and access to the majority of support provisions without the need for assessment. • More carers will be supported as a result of improvements to provision of information, advice, and guidance, and through increased peer support

		provisions.
Age:	The new contract should not result in any negative consequences but has potential for a positive impact.	As a result of the changes, the following positive outcomes will be delivered: <ul style="list-style-type: none"> • Future users of the service can expect an earlier intervention e.g. information advice, training. • Needs being met without becoming dependent on statutory services.
Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	The new contract should not result in any negative consequences but has potential for a positive impact.	As a result of the changes, the following positive outcomes will be delivered: <ul style="list-style-type: none"> • Increased and earlier training opportunities to Carers applies to the full range of disabilities with the intended impact being that more Carers are equipped with the skills and knowledge to care better without being dependent on statutory services. • Parent Carers will have access to the service through a 'no wrong front door' approach
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	The new contract should not result in any negative consequences but has potential for a positive impact.	We know that Black and Minor Ethnicity (BAME) Carers are underreported due to traditional cultural and ethnic extended family and community structures; however, we also know that those structures are breaking down in the face of increased integration and geographical mobility. <p>A change to increased preventative, early intervention, which sits largely outside 'the system', should result in a positive impact where more citizens are confident in</p>

		<p>presenting and receiving support.</p> <p>The new Caring Well in Devon contract has specific requirements on the Provider to support access and delivery for BAME Carers.</p>
<p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).</p>	<p>The new contract should not result in any negative consequences but has potential for a positive impact.</p> <p>Women are overrepresented in the current service, it is not anticipated that any negative impact will be felt as support will continue.</p>	<p>Men are underreported as Carers but have told us that a greater online presence will support them better and is expected to result in more male Carers being recognised and supported.</p> <p>The new Caring Well in Devon contract has specific requirements on the Provider to support access and delivery for male Carers.</p>
<p>Sexual orientation and marriage/civil partnership:</p>	<p>The new contract should not result in any negative consequences but has potential for a positive impact.</p>	<p>The new Caring Well in Devon contract has specific requirements on the Provider to support access and delivery for LGBT+ Carers through an improved focus on accessibility for these groups.</p>
<p>Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.</p>	<p>The new contract should not result in any negative consequences but has potential for a positive impact.</p>	<p>As a result of the changes, the following positive outcomes will be delivered for other socio-economic factors:</p> <ul style="list-style-type: none"> • Positive impact for families – whole family approach, change from 'single-target assessment', early intervention; • Positive impact for rural isolation – increased peer support availability, and increased digital capability (responsive to availability in that area); • The service will ensure effective signposting for parent carers that will offer support especially for

		single parent carers who may have no other methods of support.
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Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
Page 64	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:	N/A	

Conserve and enhance biodiversity (the variety of living species):	N/A	
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	
Conserve and enhance the quality and character of our built environment and public spaces:	N/A	
Conserve and enhance Devon's cultural and historic heritage:	N/A	
Minimise greenhouse gas emissions:	N/A	
Minimise pollution (including air, land, water, light and noise):	N/A	
Contribute to reducing water consumption:	N/A	
Ensure resilience to the future effects of climate change	N/A	

(warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):		
Other (please state below):		

Section 4c - Economic impacts

Page 66	<p>Describe any actual or potential negative consequences.</p> <p>(Consider how to mitigate against these).</p>	<p>Describe any actual or potential neutral or positive outcomes.</p> <p>(Consider how to improve as far as possible).</p>
Impact on knowledge and skills:	<p>The new contract should not result in any negative consequences but has potential for a positive impact.</p>	<p>The Caring Well in Devon contract contains specific requirements to the skill and knowledge of staff working with and supporting Carers. This is in response to engagement with Carers and their comments. This will result in a higher skilled workforce.</p> <p>There is also provision made for supporting Carers through improved arrangements for training for Carers e.g. how to care safely, and an intention to support Carers by linking them in with other sources of support e.g. the NHS for specific conditions. This will increase the knowledge and skill set of Carers personally which are then transferrable</p>

		into any professional life that they might have.
Impact on employment levels:	The new contract should not result in any negative consequences but has potential for a positive impact.	<p>The Caring Well in Devon contract makes provision for paid as well as volunteer staff in order to work with and support Carers. This will result in more employment opportunities to develop through the lifetime of the contract as we develop community and voluntary sector networks.</p> <p>The provision for Carers through improved arrangements for training etc. for Carers should also result in more Carers being able to remain in employment for longer, and be equipped with the knowledge and skills to be part of a resilient workforce.</p>
Impact on local business:	The new contract should not result in any negative consequences but has potential for a positive impact.	The Young Carers Support Service contract will open up the opportunity to a broader market and therefore may create opportunities for providers who would otherwise not be able to bid if it was a single lot.

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Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	
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Section 5 - 'Social Value' of planned commissioned/procured services

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

The Caring Well in Devon contract removes the current requirement of Carers Trust Membership which bars non-Third Sector organisations from bidding or forming consortia. This increases the potential for a wider range of bidders.

The Caring Well in Devon contract also has specific provision and requirement in relation to social value and added value that any successful Provider must bring through delivery of this contract.

By having a separate lot for the Young Carers Support Service we will be able to offer the tender opportunity to more providers, including the Third Sector.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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