

## CABINET

16 May 2018

### Present:-

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

### Apologies:-

Councillors J Clatworthy

### Members attending in accordance with Standing Orders 8 and 25

Councillors F Biederman, J Brazil, A Dewhirst, B Greenslade, R Hannaford, J Hodgson and C Whitton

\* 170

### **Minutes**

**RESOLVED** that the minutes of the meeting held on 11 April 2018 be signed as a correct record.

\* 171

### **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

\* 172

### **Announcements**

The Chair welcomed Mr Hipkin who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

In addition, the Cabinet paid tribute to the work of Ivybridge Recycling Centre which had won Civic Amenity Site of the Year in the 2018 Awards for Excellence.

\* 173

### **Petitions**

There was no petition received from a Member of the Public or the Council.

\* 174

### **Question(s) from Members of the Council**

In accordance with the Cabinet Procedure Rules, the Leader and relevant Cabinet Member responded to two questions from Members of the Council on correspondence with Barnstaple Town Council regarding advertising on the highway and on the publishing of correspondence in relation to previously submitted questions and the future reporting to the Health and Adult Care Scrutiny Committee on memos of understanding and agreements.

The Leader and Cabinet Member also responded orally to supplementary questions arising from the above.

*[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://www.devon.gov.uk/dcc/committee/minutes.html> and any supplementary questions and answers may be observed through the webcast of this meeting]*

## KEY DECISIONS

### \* 175 Realignment of the A379 at Slapton Line

(Councillors Biederman, Brazil, Dewhirst, Greenslade, Hannaford and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Highways, Infrastructure Development and Waste (HIW/18/31) circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 on the intended approach to the reinstatement of the length of the A379 at Slapton Line, which was closed following storm damage in early March 2018.

Storm Emma (on 1<sup>st</sup> and 2<sup>nd</sup> of March 2018) with gale force winds, surge conditions, high waves, coupled with high spring tides caused the partial loss and undermining of the carriageway along the central section of the A379 to the north of the Slapton village junction. Damage was sustained over more than 400 metres, on either side of the length of road which had been previously re-aligned.

The work of the Slapton Line Partnership since 2001 (when the road was previously damaged) included the first iteration of a Coastal Zone Management Study (2004), which set out a future approach to the management of Slapton Line in the face of ongoing coastal change including proposals for the realignment of further lengths of the A379 to prolong its anticipated lifespan.

There had been an ongoing process of dealing with coastal resilience and adaptation measures at Slapton Line since then including investment in coastal defence works along Slapton Line, particularly at Torcross and a 'Beach Management Plan', for which national funding would be sought later in the year.

Following Storm Emma, the road between Torcross and Slapton Junction could be cleared and re-opened, which happened the following week, but the damage north of the Slapton turn-off required the closure of the road. Whilst some of the previous plans, which had accurately predicted the locations of greatest vulnerability and could allow a relatively fast-track approach to the reinstatement of the road based on the existing planning permission, it became apparent that a revised design would have to be adopted for the northern section of the proposed realignment, which required the submission of a new planning application, supported by an environmental impact assessment.

The plan at Appendix 1 to the Report illustrated the general location of the two sections of damaged highway to be reinstated, to the either side of the 2001 realignment. The **southern realignment**, shown by Appendix 2, would be implemented based on the 2007 planning consent. The **northern realignment, shown by Appendix 3**, varied the 2007 design by extending it by a further 110m to the north and, for part of its length, by a few metres to the west.

The Report further outlined a proposed timetable for the implementation of the proposed road reinstatement which included Scheme design, costing and contract preparation (May 2018), planning application and environmental impact assessment (May / June 2018), select scheme contractor (June 2018), realignment construction work (Summer 2018), finalise restoration of original, damaged, carriageway (Early Autumn 2018) with a view to the reopening of the road in late autumn, notwithstanding that timings might be affected by the progress of the planning application.

The Council had been provided by the Department of Transport with £2.5 million of capital funding for the required works at Slapton Line. Following detailed design, estimated costs and timelines, a financial letter would be submitted to the Cabinet Member with responsibility for Resources, in order to enhance the capital programme, funded by the Department for Transport flood resilience fund grant.

The proposed works took the form of a highway management scheme which sought to reinstate an existing road, therefore no significant equality and public health issues were likely to result from the intended implementation of the scheme.

Slapton Line was a highly sensitive environment recognised by its SSSI and NNR designations. These issues were addressed through the environmental assessment linked to the 2007 planning permission and were being updated and refined through the further work to accompany the new planning application.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the Chief Officer's Report and/or referred to above having been considered:

It was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Hart, and

**RESOLVED** that the proposed reinstatement of the A379 at Slapton Line, plus other associated remedial works, funded by the dedicated, emergency funding provided by Central Government, be approved.

\* 176

### **Ash Die Back Disease: Policy Update and Management**

(Councillors Biederman, Dewhirst, Hannaford, Greenslade and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste, the Head of Planning, Transportation and Environment and the Head of Digital Transformation and Business Support (HIW/18/32), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, on the Policy Update and Management of Ash Die Back Disease, including how the Council should manage its responsibility for Ash Dieback in the County with due regard to both public safety and the environment.

The report highlighted that Chalara Dieback of Ash (commonly referred to as Ash Dieback (ADB)) had been pervading the UK from the continent, spreading from east to west. Whilst in Devon it was in the early stages (but there were confirmed cases) it was estimated that 20% of Devon's total tree population was Ash which meant it defined much of Devon's landscape and had the potential for major impact within the next ten years. Estimates showed that the Ash tree population included 6,300 on highway land, 3,900 on the Council's corporate estate, 3,100 on school grounds, but over 440,000 which were within falling distance of the highway.

The proposal in the Report in the management of Ash Die-back in Devon was focussed, first, on public safety and, second, the environmental impact and mitigation.

In terms of Highways tree's and public safety, the Council had a duty of care to ensure that all trees on its land were kept in an acceptable condition and were risk assessed into four categories from 'high' to 'very low'. The high-risk category included locations of high thoroughfare and were inspected at least annually by staff and every three years by a qualified arboriculturalist. As Ash die-back started to develop further in Devon, greater vigilance would be required.

In relation to Corporate Sites & Schools, it was proposed that tree inspections were increased where it was shown there was an increased risk.

In terms of Environmental Impact, the anticipated effects could include a degradation of wildlife habitats and loss of key species, visual impact on the landscape, slope stability/soil erosion, greater surface water run-off and increased flood risk and possible implications for air

quality and temperature regulation. However, the Council had established a Devon Ash Dieback Resilience Forum who had worked with the Devon Local Nature Partnership (LNP) in producing a Devon Ash Dieback Action Plan (February 2016) available at <https://www.naturaldevon.org.uk/wp-content/uploads/2016/02/Devon-ash-dieback-action-plan-February-2016.pdf>

The Chief Officer and Heads of Services' Report incorporated an Impact Assessment relating to the possible impacts, which had been circulated previously for the attention of Members at this meeting, in order that as part of its determination of the next steps in the process the Cabinet might have full regard to the responsibilities placed upon it to exercise its Public Sector Equality Duty, under s149 of the Equality Act 2010.

The Assessment related to the Council's intended approach to the management of this tree disease from both a public safety and environmental perspective.

It outlined the two options, which was either to adopt a planned and proactive approach to dealing with the public safety and environmental issues which were likely to result from ash dieback or to continue with current policies and procedures, taking no new action to manage the public safety and environmental issues likely to result from ash dieback.

It was therefore recommended that a planned and proactive approach was adopted including variation to the frequency of tree inspections, the release of resources to mitigate the Authorities liabilities linked to the disease and a programme of environmental mitigation in line with the principles established through the Devon Ash Dieback Resilience Forum.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the Chief Officer and Head of Services' Report and/or referred to above having been considered:

It was **MOVED** by Councillor Hughes, **SECONDED** by Councillor Croad and

#### **RESOLVED**

(a) that delegated authority be given to the Chief Officer for Highways Infrastructure Development and Waste and the Head of Digital Transformation and Business Support, in consultation with the relevant Cabinet Member, to vary the frequency of tree inspections as required to manage the risk of Ash Dieback;

(b) that the financial costs outlined in the Report be considered as part of the process for setting the Council's 2019/20 Budget and Medium term financial strategy; and

(c) that Cabinet support and resource a programme of environmental mitigation in line with the principles set out in the Advice Note (Jan 2018) issued by the Devon Ash Dieback Resilience Forum.

*[NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available at: <http://new.devon.gov.uk/impact/>].*

\* 177

#### **Department for the Environment, Food and Rural Affairs (DEFRA) Consultation: The future for food, farming and the environment**

(Councillors Biederman, Dewhirst, Greenslade, Hannaford and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Economy, Enterprise and Skills (EES/18/4), circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which provided a draft response to the Department for the Environment,

Food and Rural Affairs (DEFRA) Consultation: The future for food, farming and the environment.

DEFRA's Consultation marked one of the most important developments in UK Agricultural Policy for a generation. Once the UK left the European Union it would withdraw from the Common Agricultural Policy (CAP). The Secretary of State had said that the Government wanted to take the opportunity to introduce "a more rational, and sensitive agriculture policy which promoted environmental enhancement, supported profitable food production and contributed to a healthier society." The Consultation was very broad and encompassed issues such as farming subsidies, trade, skills, public health, innovation and rural productivity, amongst others.

A holding response had been submitted to DEFRA in order to meet the Consultation deadline of 8 May 2018, but Cabinet were being asked to approve the County Council's response so that confirmation could be provided to DEFRA.

The Head of Service's covering Report highlighted the key issues in the consultation which included "public money for public goods" and farm resilience and the phased abolition of direct payments, balancing public goods and food production, uplands farming, trade and market fairness, regulation and inspections and rural economic development.

It further outlined the unique landscape of Devon including two National Parks, five Areas of Outstanding Natural Beauty, two World Heritage Sites and many protected species. Agriculture was one of Devon's key economic sectors, accounting for around 5.5% of jobs in the County. 72.4% of land in Devon was farmed, which meant that farmers made a unique contribution to the maintenance and enhancement of the countryside.

It further reported that the Council was supportive of the agricultural sector, including enhancement of the environment and the importance of natural capital as an economic asset. Brexit offered a once-in-a-generation opportunity to ensure that agricultural policy supported a vision of UK farming that led in quality food production.

The Council supported the Government's proposed focus on "public money for public goods" and that subsidy should be earned. There was also scope for the Government to support a wide range of activities, including environmental but also incorporating issues such as skills, innovation, animal health and public access to the countryside. In implementing the reforms, it was critical that Government paid due regard to the financial resilience of farm businesses (DEFRA's analysis showed that the sectors that predominated in Devon, particularly grazing livestock (51% of farmed area), were likely to be those most affected by the withdrawal of direct payments). It would be difficult to offset such an impact, therefore Government needed to take a holistic view of the distributional impact of reforms when designing replacement schemes and consider transitional processes.

The Council further encouraged Government to ensure that new approaches were trialled rigorously before their introduction. It supported the proposals from Exmoor and Dartmoor National Parks to host such pilots and would be keen to host similar pilots in Devon's lowland areas.

The key points of the response to the consultation included;

- that the Council supported the concept of public money for public goods;
- it was right that a broad range of public goods were encouraged, but with a need to balance this with support for food production;
- that food production remained at the core of what it meant to farm;
- farm resilience;
- transition period;
- local control (Brexit presented a unique opportunity for Government to devolve aspects of the system);
- that farmers needed help to manage volatility in prices;

- environmental protection schemes (with new schemes needed to reward existing farming practices that deliver a high quality environment);
- that uplands farming faced special challenges;
- distributional analysis;
- support for new entrants to farming;
- trade;
- market fairness issues;
- regulation, animal health and inspections;
- rural economic development; and
- broadband and mobile connectivity.

Members of the Council speaking under Standing Order 25(2) thanked both the Cabinet Member and Officers for the Report, welcoming its contents.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the Head of Service's Report and/or referred to above having been considered:

It was **MOVED** by Councillor Barker, **SECONDED** by Councillor Hart, and

**RESOLVED** that the draft Devon County Council response (Appendix I) to the DEFRA consultation be approved.

\* **178**      **Revenue and Capital Budget Outturn for 2017/18**

(Councillors Biederman, Dewhirst, Hannaford and Greenslade attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the County Treasurer (CT/18/43) circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 on the outturn position for 2017/2018.

The Cabinet were informed of the earlier reporting of the Outturn than in previous years, as the Accounts and Audit Regulations had changed the statutory deadline for preparation of the full Statement of Accounts from 30th June to 31st May with effect from this year.

Regular budget monitoring reports had been received throughout 2017/18 in which budget pressures and risks had been identified.

Members acknowledged that rigorous, effective financial and budgetary management had again enabled expenditure to be contained within the overall target budget. Overall, an underspend had been achieved in spite of the significant financial challenges that the Council had continued to face during the financial year.

The Report also contained a detailed breakdown of the position within specific service areas and other funding items showing all over and under-spending and the reasons for that.

The outturn for Adult Care and Health Services showed an overall net underspend of £7.5 millions after taking into account grants and contributions carry forward and any other carry forward requests (Adult Care Operations and Health showing an underspend of £6.7 millions and Adult Commissioning and Health underspending by £782,000).

The position for Children's Services was a £2.6 millions overspend (Children's Social Work and Child protection being an overspend of £2.3 millions, Education and Learning General Fund was an overspend of £260,000 and expenditure in Education and Learning relating to spending on schools, funded from the Dedicated schools grant, was shown as breakeven.

The outturn for Communities, Public Health, Environment and Prosperity showed an overall underspend of £1.3 millions after taking into account grants and contributions carry forward and any other carry forward request. Economy Enterprise and Skills was underspent by £234,000, Planning, Transportation and Environment an underspend of £821,000 and Public Health underspent by £159,000.

In relation to Corporate Services, there was an overall underspend of £1.1 millions (Chief Executive, Legal and Communications were £145,000 underspent, Digital Transformation and Business Support were showing an underspend of £1.3 millions and the County Treasurer an underspend of £344,000.

The outturn position for Highways, Infrastructure Development and Waste was a £2.1 millions underspend.

The Report outlined other factors such as the budget of £1.5 millions set for the County Council elections; the outturn being an underspend of £249,000, the reduction in the insurance premium and claims, the improved 'better care fund' grant, capital financing costs being less than budgeted, interest receivable being more than budgeted, slippage in the capital programme and the carry forward of the infrastructure development budget.

The Leader on behalf of the Cabinet Member for Resources & Asset Management, who had submitted apologies for the meeting, again paid tribute to the County Treasurer and all staff of the Council who had been instrumental in bringing expenditure in under budget. Despite significant pressures the Authority had achieved a net underspend overall and careful budget management had allowed the authority to contribute £12 millions to the Budget Management Reserve and report an Outturn surplus of £15,000.

The level of earmarked reserves held by the Authority was low compared with other County Councils. At 31st March 2017, Devon's reserves were the 12<sup>th</sup> lowest out of 27 County Councils. The contribution to reserves of £12 millions was welcome and would help to improve the authority's financial resilience and help to bridge the gap projected in the MTFs (Medium Term Financial Strategy) for 2019/20.

Cabinet noted that 2019/20 was the last year of the current funding settlement from Government and the Council had no indication of the funding it would receive from Government in 2020/21 and beyond. The Council may not know its level of funding for 2020/21 until late in the budget process for that year which posed a significant financial risk to the Council. A reasonable level of reserves offered some protection against and softened the impact of a late, low settlement.

The Cabinet wished to place on record its thanks to Councillor Clatworthy for his excellent track record in bringing expenditure in under budget.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal considerations and Public Health impact) set out in the County Treasurers Report and/or referred to above having been considered:

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Barker, and

#### **RESOLVED**

(a) that the draft outturn for 2017/18, after carry forwards and contributions to balances, reserves and provisions, showing an underspend of £15,000 against the approved revenue budget be noted;

(b) that the 2017/18 revenue outturn be approved, including transactions on earmarked reserves and provisions, spending against budget, treatment of over and under spending and the implications for balances, as set out in the tables and the narrative of the Report;

- (c) that the 2017/18 capital outturn be approved including spending against budget and proposed carry forwards, in accordance with the tables included in the Report;
- (d) that the use of capital finance as set out in the Statement of Determination of Capital Finance on page 37 of the Capital Outturn Report be approved;
- (e) that a total of £8.416 millions is set aside from revenue resources as provision for credit liabilities (to repay debt);
- (f) that the Prudential Indicators as set out in section 11 of the Report be noted; and
- (g) that the total monies owing to the Council as at 31st March 2018 be noted.

#### **MATTERS REFERRED**

\* 179 **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Broadband and Mobile Phone Connectivity - Task Group Final Report**

(Councillor Dewhirst attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Broadband and Mobile Phone Connectivity Task Group which was considered at the Corporate Infrastructure and Regulatory Services Scrutiny Committee at its meeting on 27 March 2018 (Minute 57), together with the resolution of the Scrutiny Committee;

- (a) that Recommendation 3 in the Report be amended so that the heading reads 'Meaningful Consultation on Gainshare and Take-up Clawback';*
- (b) that the Report be endorsed and its recommendations commended to the Cabinet; and*
- (c) that the Broadband and Mobile Connectivity Task Group continue to monitor and scrutinise the work that CDS and the Council are doing across Devon, with a greater emphasis on mobile phone connectivity.*

It was **MOVED** by Councillor Barker **SECONDED** by Councillor Hart, and

#### **RESOLVED**

- (a) that Cabinet thank the Task Group for their helpful report;
- (b) that Cabinet endorse the work of the Task Group and the greater emphasis on mobile;
- (c) that the Cabinet Member will raise the recommendations with the CDS Board and with Somerset County Council as the Accountable Body; and
- (d) that the results will be reported to a future CDS meeting.

## OTHER MATTERS

### \* 180 Public Health Annual Report 2017/2018

(Councillors Biederman, Dewhirst, Hannaford, Hodgson, Greenslade and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity, presenting the Public Health Annual Report for 2017/18, which was available at <https://bit.ly/2ES2xoo>

The Annual Public Health Report was the eleventh in a series of annual reports on the health of the population of Devon which began in 2007-08. Over that period, there had been extraordinary improvements in the health of the population of Devon. The pattern of disease had changed over the years – while life expectancy had increased, as modern medicine developed new techniques and treatments, so had the prevalence of long-term health conditions, such as diabetes, heart and lung disease, arthritis and dementia. The health of the population of Devon generally compared favourably with other parts of England and Wales with the exception of some aspects of mental health, and deaths from skin cancer, strokes and falls.

This Public Health Annual Report considered the health and wellbeing of children and young people. As children grew up, research had shown that early influences on health could have life-long effects. Investing in the health and wellbeing of children would result in long-term population benefits and the Report acknowledged that growing up in a loving, nurturing and safe family environment was part of the child developing into a healthy, happy adult. Conversely those on the receiving end of harmful adult behaviours (such as substance abuse or domestic and sexual violence and abuse) could themselves replicate those behaviours and continue the cycle. Feedback from such people cited a lack of early recognition and support, highlighting the importance of prevention and early intervention. To quote Frederick Douglass 'it is easier to build strong children than to repair broken men'.

Last, the Report focussed on the long-term impact of poverty and disadvantage on the health and wellbeing of children, and to wider society, which was one that had a financial as well as a human cost.

In debating the Annual Report, Members acknowledged the state of health of children and young people in Devon and welcomed the recommendations to improve the health and wellbeing of the next generation.

The recommendations within the Report covered a range of matters including reducing the number of children living in poverty / poor housing, improving the health of women before, during and after pregnancy, increasing breastfeeding rates, improving communication skills, promoting healthy eating, improving oral health / dental hygiene in children, increased levels of physical activity, promoting good emotional wellbeing, ensuring access to quality sexual health advice / services, ensuring that personal, social and health education (including relationship issues) was provided to all children, reducing the consumption of tobacco, alcohol and illegal drugs, ensuring all children benefited from immunisation, preventing accidental injury and harm, improving the care of children with long-term health conditions, supporting adults in tackling behaviours that were associated with harm to children, reducing the attainment gap between people from the highest and lowest socioeconomic groups, improving the health, wellbeing and life chances of the most disadvantaged children and improving the experience of children with special needs, adopting a "child health in all policies" approach and to improve the collection and analysis of data to better inform decisions on how to improve the health and wellbeing of children and young people.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, carbon impact, risk management, equality and legal

considerations and Public Health impact) set out in the Chief Officer's Report and/or referred to above having been considered:

It was **MOVED** by Councillor Croad **SECONDED** by Councillor Hart, and

**RESOLVED** that the Report be welcomed and published.

[NB: The Report referred to above can be viewed at: <https://bit.ly/2ES2xoo>

\* **181** **Question(s) from Members of the Public**

There was no question from a Member of the public.

\* **182** **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members under the urgency provisions or delegated powers were 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 decisions taken since the last meeting had been published with the Agenda for this meeting. 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/>

\* **183** **Forward Plan**

In accordance with the Council's Constitution, the Cabinet reviewed the Forward Plan and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (at <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0>)

**NOTES:**

1. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.
2. 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.
3. The Minutes of the Cabinet are published on the County Council's website.
4. A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-tv/core/portal/home>

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

The Meeting started at 10.30 am and finished at 12.20 pm



**QUESTIONS FROM MEMBERS OF THE COUNCIL  
Wednesday 16<sup>th</sup> May 2018**

**1. QUESTION FROM COUNCILLOR GREENSLADE  
Re: Barnstaple Town Council and Advertising on the Highway**

Both myself and Councillor Mathews have received complaints from Barnstaple Town Council about the lack of replies to their correspondence addressed to the Chief Executive and the Head of Highways regarding advertising on the highway, the item withdrawn at a previous Cabinet Meeting.

Will the Leader please say when Barnstaple Town Council will receive an answer.

**REPLY BY COUNCILLOR HART**

We recognised the work carried out in some areas by other Authorities, including Barnstaple Town Council, this is something that we wish to explore further. This is why we asked that the report was withdrawn and requested that Officers gave this matter further consideration.

A letter has now been sent to the Town Council.

**2. QUESTION FROM COUNCILLOR GREENSLADE  
Re: Publishing of Correspondence and Health and Adult Care Scrutiny Reporting.**

Can Councillor Leadbetter confirm that his verbal commitment given at the last Cabinet Meeting to publish his email reply to me in the public domain at the upcoming Cabinet Meeting?

Will he also confirm that his further verbal commitment to make a report to the Health Scrutiny Committee covering all memo's of understanding and agreements in place with the NHS will be made in a timely manner?

**REPLY BY COUNCILLOR LEADBETTER**

A copy of the response is appended to these questions and, accordingly, will be published with the minutes.

The scrutiny work programme and its scheduling of items is a matter for the committee itself and officers will make agreements available as reasonably requested.

# Minute Item 174

Appendix A

## **Message on behalf of Cllr Andrew Leadbetter**

Dear Cllr Greenslade,

I hope the following additional response provides you with the clarity that you have requested.

We have Partnership Agreements in place with NHS organisations dating back to 2004, these are called Section 75 agreements and they provide for the delivery of mental health services and learning disability services. These are signed annually. We also have the Better Care Fund Partnership Framework Agreement and Better Care Fund Plan both of which have been through the nationally determined governance route of the local Health and Wellbeing Board. The BCF is the only mandatory policy to facilitate integration.

We also have a number of Memoranda of Understanding that set out how we work together with NHS providers across Devon for the delivery of integrated adult health and social care services. These have been in place since 2011 and are signed annually.

Finally, we have a Memorandum of Understanding across the organisations of the STP. This document is not a Partnership Agreement, but I believe this might be the document that you are referring to. This document was signed in 2016 and sets out how we will work together constructively as a system to deliver the duty to cooperate that is placed on health and social care within The Care Act. The MoU goes no further than that, it does not propose the creation of a Devon ACO or in any way change the current governance of health and social care in Devon, it simply sets out an existing duty in the context of the Sustainability and Transformation Partnership.

Regards,

Cllr Andrew Leadbetter