

CABINET

13 April 2016

Present:-

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

Apologies:-

Councillor J Hart

Members attending in accordance with Standing Orders 8 and 25

Councillors Connett, Hannan, Hook, Julian, Owen, Radford, Randall Johnson, Westlake and Wright

COUNCILLOR CLATWORTHY IN THE CHAIR

* 1

Minutes

RESOLVED that the minutes of the meeting held on 9 March 2016 be signed as a correct record.

* 2

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 3

Chairman's Announcements

There was no announcement by the Chairman of the meeting.

* 4

Petitions

The Deputy Leader was presented by a Mr B Woods with a petition organised by the Earl Richards Road North Residents Association (Exeter) containing the signatures of residents of the area seeking action to secure the reinstatement of the highway and the repair of damage resulting from construction traffic accessing an adjacent housing development.

The Chairman indicated that the Cabinet Member or Head of Service would be asked to respond direct to the petitioners on the issues raised, within 15 days.

* 5

Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the Deputy Leader and the relevant Cabinet Member responded to 7 questions from Members of the Council on the Sutcombe Primary School closure decision, the proposed Academisation of Maintained Schools and the role of Parent Governors in such schools and on Broadband (Connecting Devon & Somerset), responding orally to any supplementary questions arising from the above. The Deputy Leader indicated he would also respond direct to 2 further questions from a Member of the Council (who was not present at the meeting) on the Council's Devolution proposals relating to strategic and affordable housing.

[NB: A copy of the questions and answers are appended to these minutes and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

* **6** **Call-in of Cabinet Decision: Sutcombe Primary School Closure (Minute *484/9 March 2016)**

The Cabinet noted that in accordance with the Scrutiny Procedure Rules Councillors Owen, Hannan, Hannaford, Hill and Wright had previously invoked the call-in procedure in relation to the above decision of the Cabinet to enable the People's Scrutiny Committee to consider this matter on the grounds '*...that not all the relevant factors were made known*'.

The Cabinet further noted that the People's Scrutiny Committee had considered the 'call-in' at its meeting on 21 March 2016 (Minute *144) and had subsequently endorsed the Cabinet's decision. Consequently and as the Scrutiny Committee had not requested reconsideration or amendment of the Cabinet's previous decision it had therefore been implemented with immediate effect.

KEY DECISIONS

* **7** **Education Travel Policy for 2016/17**

(Councillors Connett, Hannan, Julian and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

(Councillor Davis declared a Disclosable Pecuniary Interest in this matter by virtue of being a parent of a child in receipt of school transport and withdrew from the meeting during its consideration).

The Cabinet considered the Report of the Head of Education & Learning ([EL/16/3](#)) on the outcome of consultations on education travel policy (undertaken during February and March of this year) for the academic year 2016-17 and on proposed amendments to current policy arising therefrom, none of which would affect statutory entitlements to free education transport. The proposed variations related to financial contributions toward the cost of discretionary transport or where contributions were allowed.

There were no proposals to amend the Travel Policy for children of statutory school age for 2017/18 and the arrangements for 2016-17 for children of statutory school age would roll forward into the arrangements for 2017/18. Notice had also been given of a consultation now being undertaken on proposed arrangements for post-16 education in 2017/18 where colleges and schools now received funding direct from central government to provide a bursary scheme to support post-16 students, including for transport.

Members noted that the Local Authority had a statutory responsibility to provide free transport to and from school for children of statutory school age who meet set criteria but could also exercise discretion to provide assistance for children in other circumstances, for which it might charge a fee or contribution. Similarly for post-16 students the Council could support travel only where there was a need to do so for which a contribution could also be sought.

The Head of Service's Report also referred to the Impact Assessment relating to these proposals 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, where relevant, and that no unmanageable impacts had been identified.

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

It was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Clatworthy, and

RESOLVED

(a) that the outcome of consultations on the Transport Policy for 2016/17 be noted;

(b) that the Education Transport Policy for 2016/17 be endorsed, increasing the contribution level for all subject to pay from £520 to £560 per annum and removing the reduction in contribution for those on low income (currently set at 50%).

[NB: The Travel Policy and Impact Assessment referred to above may be viewed at www.devon.gov.uk/admissionarrangements]

* 8

County Road Highway Maintenance Capital Budget

(Councillors Connett, Julian, Owen and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Highways, Capital Development & Waste ([HCW/16/31](#)) on progress with 2015/16 programmes and approval of schemes and proposed programmes for capital funding of highway maintenance programmes in 2016/17.

The Cabinet noted that the capital funding settlement for 2016/17 was based on a national formula for allocating Local Highway Maintenance funding allocations divided between a needs formula, an incentive formula and a Challenge Fund; although the overall levels of funding to Council's generally fell well short of the amount needed to maintain all elements of the highway in a steady state and the allocation for Devon represented only 54% of the funding required to keep the highway assets in their current condition.

The County Council had been allocated £38,785,000 in 2016/17 for the needs based formula based on all highway features, not just carriageway structural maintenance. The 'incentive formula' allocation was not yet known but could secure an additional £2,350,000. The Council had to date also been allocated £5,079,000 under the Challenge Fund for street lighting. The settlement for 2017/18 had been confirmed at £37.610m with an indicative allocation of £34.042m for each of the following 3 years.

The Head of Service's Report recommended the adoption of a programme which had been designed to make best use of the available financial resources using the Council's approved Asset Management approach; recognising also that any reduction in the programme would further compromise the County Council's ability to maintain the network in a reasonably safe condition and work towards the objectives of the Council's Strategic Plan.

The Cabinet Member for Highways Management & Flood Prevention also referred to the recent announcement by Government of an additional allocation to the Council of just under £2,000,000 from its Pothole Action Fund, to be targeted at sections of minor road with '*high frequency pothole formation*'. This allocation while clearly not meeting all of the demands on the Service, would nonetheless be a welcome boost to the capital programme.

The Head of Service's Report also referred to the '*Budget 2016/17 Impact Assessment*', which had previously been considered by and taken into account by the Cabinet and County Council in determining the Budget for 2016/17 noting also that individual schemes – which could make a considerable contribution to supporting equality through improving the network – would be fully assessed as would the environmental aspects of any proposals through the separate Environmental Impact Assessment process.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. 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 Hughes, **SECONDED** by Councillor Clatworthy, and

RESOLVED

(a) that progress with 2015/16 capital funded highway maintenance schemes detailed in Appendices I and II to Report HCW/16/31 be noted;

(b) that approval be given to the capital funded highway maintenance programmes for 2016/17 as set out in Appendices III and IV to Report HCW/16/31;

(c) that the allocation of the available budget to schemes be determined by the Head of Highways, Capital Development and Waste in accordance with the Highways Asset Management Plan, within the limits of the approved budget;

(d) that the Head of Highways, Capital Development & Waste be authorised to amend the programme to maximise its impact within agreed policy guidelines and in the case of any changes to individual schemes exceeding £25,000 to exercise that authority only in consultation with the Cabinet Member for Highway Management & Flood Prevention.

[NB: The Impact Assessment referred to above is available at: <http://new.devon.gov.uk/impact/>]

* 9 **County Road Highway Maintenance Revenue Budget and On-Street Parking Account 2016/17**

(Councillors Connett, Julian, Owen and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Highways, Capital Development & Waste ([HCW/16/32](#)) on the allocation of highway maintenance funding by operation including the additional funding of £1,000,000 allocated by the Council from the new Rural Services Delivery Grant for 2016/17.

The Head of Service reported that the proposals now recommended had regard not only to the experience of maintaining the network and its condition based on Highways Asset Management Plan principles, but also to recent experience in delivering highway maintenance policy, meeting the demand for services previously and to feedback received during the Tough Choices consultation on the 2016/17 budget. The Report also contained proposals for the allocation of the 'ring-fenced' on-street parking account for 2016/17.

The Cabinet heard concerns once more expressed at the potential impact upon future highway maintenance budgets of the use of unsuitable materials (e.g. brick pavers in the construction of footways) by developers which the Head of Service acknowledged had been raised with local planning authorities.

The Head of Service's Report also referred to the '*Budget 2016/17 Impact Assessment*', which had previously been considered by and taken into account by the Cabinet and the County Council in determining the Budget for 2016/17 noting also that individual schemes could make a considerable contribution to supporting equality through improving existing routes and surfaces acknowledging also that approximately equal numbers of respondents to the 2016/17 budget consultation felt that major and minor roads should be given priority highlighting the difficulties faced by the Council in responding to the situation.

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 Hughes, **SECONDED** by Councillor Clatworthy, and

RESOLVED

(a) that the allocations for highway maintenance for 2016/17 as set out in Appendix I to Report HCW/16/32 be approved;

(b) that the Head of Highways, Capital Development & Waste be authorised to amend the allocations within and between different work types to maintain overall the budget within the total allocation and to maximise the impact of the programme:

(c) that approval be given to revised work functions set out in the Highway Maintenance Policy as set out in Appendix II of Report HCW/16/27; and

(d) that the On-street Parking Account programme for 2016/17 set out at Appendix II of Report HCW/16/32 be approved.

[NB: The Impact Assessment referred to above is available at: <http://new.devon.gov.uk/impact/>]

* 10

Waste Management - Sharing of Financial Savings

(Councillors Connett, Julian and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Highways, Capital Development & Waste ([HCW/16/33](#)) on proposals for sharing financial savings through collaborative working with District Councils to reduce treatment and disposal costs.

The Head of Service's Report acknowledged that it was widely acknowledged that working in partnership in two tier authorities could deliver significant benefits including reduced treatment and disposal costs for a Waste Disposal Authority. Both Somerset and Dorset had formed very successful waste partnerships which had delivered an improved single waste service across their areas. Efforts had been made over the previous three years to develop a similar single waste authority for Devon and while this had not yet come to fruition those discussions had nonetheless revealed that significant savings could be delivered by both Waste Disposal and Waste Collection Authorities working together. Approval was therefore sought, in principle, to develop a shared savings mechanism between the County Council (as Waste Disposal Authority) and District Councils (as a Waste Collection Authority) so that where any significant waste collection service change resulted in a net saving to the County Council (as the WDA) those savings would be shared with the District Council (as WCA).

Members noted that the County Council Waste Management service had delivered over £5m worth of savings over the previous five years, through retendering of contracts and the introduction of charging for non-household DIY type waste at recycling centres and through restrictions on vehicles, opening hours and use by non-Devon residents; acknowledging also that further savings could only be achieved by working even more closely with District Councils.

The Head of Service's Report also incorporated an Impact Assessment relating to the possible impacts of the proposal, 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, where relevant and no unmanageable impacts had been identified.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, environmental, 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 Croad, **SECONDED** by Councillor Clatworthy, and

RESOLVED

(a) that approval, in principle, be given to supporting the development of a shared savings mechanism whereby a District Council (a Waste Collection Authority), working in collaboration with the County Council (the Waste Disposal Authority) to deliver a significant waste collection service change which leads to a reduction in overall costs for the County Council, shall benefit from any net savings generated;

(b) that a formal Agreement setting out the obligations of both parties be prepared and the County Solicitor be authorised to execute all necessary documents required to give effect to any such agreement;

(c) that the Head of Highways, Capital Development and Waste be authorised to agree the details of both the sharing of savings mechanism and terms of agreement, in consultation with the Cabinet Member for Community & Environmental Services, the County Treasurer and the County Solicitor.

[NB: The Impact Assessment referred to above is available at: <http://new.devon.gov.uk/cma.htm>]

* 11 Flood Risk Management Programme

(Councillors Connett, Julian and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/16/21) outlining the work undertaken by the County Council as Lead Local Flood Authority, reviewing progress of schemes in 2015/16 and seeking approval of plans and related expenditure for 2016/17 in support of the Devon Local Flood Risk Management Strategy.

The delivery of an annual programme of flood improvements was regarded as essential to continually reduce the risk to properties in Devon at a high risk of flooding. The proposed Action Plan for 2016/17 included a number of schemes that would benefit in excess of 250 properties, together with a number of proactive studies for future schemes to be developed in line with Defra's 6 year programme. All Risk Management Authorities had regular contact either through specific project meetings or forums, such as the Devon Operational Drainage Group, to share the priorities of their organisations and look for partnership working opportunities and the projects identified at Appendix II to the 2016/17 Action Plan had been prioritised based on the specific criteria set out in the Local Flood Risk Management Strategy for Devon.

The Head of Service confirmed that full consultations would take place on proposed schemes including residents, community groups, local Councils and Councillors and relevant risk management authorities. All schemes would also, necessarily, be developed in light of the relevant Impact and Environmental Assessments produced in support of the Local Flood Risk Management Strategy) assessed at the appropriate stage to ensure that due regard would be had to any environmental and equality matters.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, 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 Hughes, **SECONDED** by Councillor Clatworthy, and

RESOLVED that the 2016/17 Flood Risk Management Action Plan be approved and the Head of Planning, Transportation and Environment be authorised, in consultation with the

Cabinet Member for Highway Management and Flood Prevention, to make changes to the programme and related expenditure of less than £50,000.

[NB: The Impact Assessment referred to above is available at: <http://new.devon.gov.uk/impact/>]

* 12

District Heating Networks (Minute 574/14 November 2012)

(Councillors Connett, Julian, Owen and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Economy & Enterprise (EE/16/7) on the proposed formation of an Energy Service Company (ESCo), in partnership with public sector partners ((Exeter City Council, East Devon District Council, Royal Devon and Exeter Foundation Trust, Teignbridge District Council and University of Exeter) to procure a private sector partner to deliver District Heating Networks in Exeter.

The Cabinet was advised that following its decision in November 2012 to investigate the formation of an ESCo the prospective partners had been working on the feasibility and viability of supplying competitively priced low carbon heat; supported through funding from the Department of Energy and Climate Change (DECC).

The Head of Service reported that two schemes had been identified within the City of Exeter which were felt to be technically feasible and economically viable, namely a city-wide retrofit scheme connecting primarily public sector heat loads, the RD&E Hospital to the City Centre and/or a scheme taking heat from the Marsh Barton Energy from Waste plant to the south west of Exeter, details of which were set out more fully in her Report. The immediate aim of an ESCo would be to procure a private sector partner with which to form a Joint Venture Company to deliver a scheme along the lines outlined in the Head of Service's Report.

The Head of Service firmly advised that investment in an ESCo had the potential to enable the Council to achieve a return, deliver economic benefits to the area and work in partnership with public and private sector bodies to influence the development of the Exeter schemes and potential future energy projects across Devon. Moreover, as the Council would be taking only a relatively small stake in the scheme and was not required to contribute revenues for procurement, the financial risk was relatively low. Shareholder agreements would be set up to ensure any risks were shared appropriately, with ongoing operational risks taken on by the private sector partner delivering the scheme.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, environmental, 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 Croad, **SECONDED** by Councillor Clatworthy, and

RESOLVED

(a) that approval be given to the County Council becoming a shareholder of a public sector Energy Services Company (ESCo);

(b) that the County Council commit, subject to a successful procurement of a private sector energy partner, to investing a capital sum of between £147,000 and £177,000 into the joint venture company as a share of the required public sector equity stake, to achieve a return;

(c) that the County Council take the lead in the procurement of an energy sector partner, on behalf of the ESCo, providing an income stream on a full cost recovery basis.

[NB: The Impact Assessment referred to above is available at: <http://new.devon.gov.uk/impact/>]

MATTERS REFERRED

* 13 Place Scrutiny Committee - Pollinators and Neonicotinoids

(Councillor Hook attended in accordance with Standing Order 8 and Councillors Julian and Owen in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that the Place Scrutiny Committee had, at its meeting on 7 March 2016 (Minute *118) and as requested by the Cabinet, considered the Report of the Head of Planning, Transportation and Environment (PTE/16/13) upon the impact on Pollinators of Neonicotinoids prepared in response to the Notice of Motion by Councillor Hook submitted to the County Council on 10 December 2015.

The Scrutiny Committee, which had been asked to comment in particular, upon the desirability of a Pollinators Action Plan being produced through which more detailed consideration might be given to any relevant restrictions on the use of Neonicotinoids on County Council property and any opportunities to support the conservation of bees and other pollinators, had subsequently resolved:

'(a) that the Committee welcome and endorse the principle of a Pollinators Action Plan being produced covering the issues outlined in Report PTE/16/13 and that Cabinet be recommended to adopt and implement such a Plan at the earliest opportunity;

(b) that, in addition, Cabinet be strongly advised to take all necessary steps where possible to prohibit the use of Neonicotinoids on land under the control or ownership of the County Council including existing and new tenants of the County Farms Estate;

(c) that the County Council engage other Councils in Devon and partner organisations to take similar action to that outlined above'

The Cabinet were advised that whilst the Chairman of the Place Scrutiny Committee had been unable to attend that day, he had nonetheless conveyed his request that the Cabinet should look very seriously at what was being suggested, taking into account and balancing all relevant factors.

Members also noted that the Leader of the Council had recently been presented with a petition organised by The Friends of the Earth's 'Bee Cause Campaign' containing in the region of 3750 signatures of Devon residents congratulating the Council in agreeing to consider taking action to reduce the impact of Neonicotinoids upon bees and other pollinators.

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

RESOLVED that the Scrutiny Committee's views be noted and approval, in principle, be given to the adoption of a Pollinators Action Plan as outlined in Report PTE/16/3 and Officers be asked to further explore the practicalities of the proposed actions at (b) above, seeking also the views of the County Farms Estate Committee as appropriate, and report further to Cabinet as soon as practicable.

* 14 People's Scrutiny Committee - School Exclusions Review: Educational Outcomes Task Group

(Councillors Connett, Hannan, Julian, Owen and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that the People's Scrutiny Committee had, at its meeting on 21 March 2016 (Minute *147) considered the Report of its Task Group ([CS/16/16](#)) looking at the exclusion process including preventative measures, school and off-site provision, funding for students at risk and the use of multi-agency engagement, incorporating the views and experiences of pupils and staff and had agreed that *'the Task Group's findings and recommendations be commended to the Cabinet for approval and action'*.

The Chief Executive acknowledged that as the SOLACE spokesperson on Children & Young People this Report was both timely and helpful in identifying issues to be fed into discussions with the Department for Education around the Government's proposals for academisation of schools.

It was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Clatworthy, and

RESOLVED that the Task Group's recommendations be welcomed and the Cabinet Member for Children, Schools and Skills be asked, in concert with the relevant Head(s) of Service to take all appropriate action to take the recommendations forward.

* **15** **Corporate Services Scrutiny Committee - Commissioning Task Group**

(Councillors Connett and Westlake attended in accordance with Standing Order 25(2) and spoke to this item).

The Corporate Services Scrutiny Committee had, at its meeting on 24 March 2016 (Minute *92(a)), considered the Report of its Task Group ([CS/16/15](#)) exploring the Council's approach to the scrutiny of commissioning processes and commissioned services; reflecting upon the changing face of the Council, how it delivered services and looking at the potential for strengthening communication and collaboration between Cabinet Members, Heads of Service and Scrutiny Committees in commissioning and reviewing services, to assist the Council in developing policy to ensure the proper discharge the Council's functions. The Scrutiny Committee had endorsed and commended the Task Group's findings and recommendations to the Cabinet for approval and action.

It was **MOVED** by Councillor Parsons, **SECONDED** by Councillor Clatworthy, and

RESOLVED that the Task Group's recommendations be endorsed and the Cabinet Member for Performance & Engagement be asked to explore, in conjunction with relevant Cabinet Members and Head(s) of Service, how best to take the recommendations forward.

* **16** **South Hams Highways & Traffic Order Committee - 20mph Speed Limit, Marldon**

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

The Cabinet noted that the South Hams HATOC had, at its meeting on 1 April 2016 (Minute 55), considered a further request from the Parish Council and local residents for the introduction of a 20mph speed limit on roads in Marldon Parish; this matter having previously been considered in November 2015 when it had been deferred pending the findings of the interim Department for Transport report on the effectiveness of 20mph speed limits and zones and the subsequent review of the Council's policy on local speed limits. That guidance had been expected to be published in 2016 but was now anticipated in 2017.

The HATOC had been advised by the Head of Service that the application for a reduced speed limit would still not meet the Council's criteria for Local Speed Limits. However, the Committee had asked that the matter be referred to the Cabinet for determination as a departure from policy, being of the view that the road safety concerns then reported and again now referred to were sufficient to override current policy and that Cabinet should introduce a 20mph speed limit for the Parish of Marldon.

The Cabinet Member for Highways Management & Flood Prevention indicated his intention to visit the area with local councillors and assess the situation for himself prior to consideration of a any definitive course of action.

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

RESOLVED that, while sympathising with the concerns of the local community and recognising that taking any action in advance of the publication by the Department for Transport of it's Report on the effectiveness of 20mph speed limits and zones and the incorporation of any consequential changes to legislation in the Council's policy may be premature, consideration of this matter be deferred pending the Cabinet Members inspection and a further report, acknowledging also that the matter may in any event be revisited once the Government's Review had been concluded.

17 **Notices of Motion: Taxation (County Council Minute 173/18 February 2016 and Cabinet Minute 488(a)/9 March 2016)**

(Councillor Wright attended in accordance with Standing Order 8 and Councillors Connett, Julian, Owen and Westlake in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet reconsidered the Notice of Motion submitted to the County Council by Councillor Wright previously referred to the Cabinet in accordance with Standing Order 8(2) alongside a factual briefing/background paper prepared by the Head of Business Support & Strategy (BSS/16/5) to facilitate the Cabinet's earlier discussion of this matter.

While the Cabinet had, at its previous meeting, acknowledged the suggestion that the Council should not take any further action on the Notice of Motion as the Council complied with the Cabinet Office Directives (subject to any future instances of supplier non-compliance being published annually on the Council's website) it was agreed - in light of further representations made at that time that the Council could adopt more rigorous thresholds - that consideration of this matter be deferred until this, the next meeting.

The Head of Business Support & Strategy commented in more detail on the action already being taken by the Council to promote tax compliance incorporating and adhering directly to the principles currently laid down by the Cabinet Office and the 2015 Regulations. He advised also that the Cabinet Office had confirmed that the existing Procurement Policy Notes were to be revised shortly to ensure consistency with the current Regulations an that any revised guidance would continue to be applied by the Council in its procurement policy.

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

RESOLVED that pursuant to the above, the County Council be recommended to take no further action on the Notice of Motion for the time being in light of the action that is and will continue to be taken to comply with the Cabinet Office Directives (which currently forms part of its published procurement policies, as set out fully in Report BSS/16/5): provided also that in future instances of supplier non-compliance should be published annually on the Council's website and that the Cabinet note that the Council's procurement policies would be updated automatically to comply with any further, revised and updated Government Guidance.

STANDING ITEMS

* **18** **Question(s) from Members of the Public**

In accordance with the Council's Public Participation Rules, the relevant Cabinet Member responded to a question from a member of the public on *Broadband: Connecting Devon & Somerset*, responding orally to a supplementary question arising from the above. The Cabinet Member indicated he would also respond direct to a further question on the same matter from another member of the public who was not able to be present at the meeting.

[NB: A copy of the questions and answers are appended to these minutes and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

* **19** **Minutes**

It was **MOVED** by Councillor Clatworthy, **SECONDED** by Councillor McInnes, and

RESOLVED that the Minutes of the Devon Education Forum held on 16 March 2016 and any recommendations to Cabinet therein be approved:

[NB: Minutes of the Forum are published at: <http://www.devon.gov.uk/schoolsforum.htm>]

* **20** **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members and 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/>

* **21** **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&bcr=1>

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-i.tv/core/portal/home>*

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

The Meeting started at 10.30 am and finished at 12.22 pm