

Phil Norrey
Chief Executive

To: The Chairman and Members of
the Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 3 January 2017
Please ask for : Rob Hooper, 01392 382300

Email: rob.hooper@devon.gov.uk
:

CABINET

Wednesday, 11th January, 2017

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

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 14 December 2016 (previously circulated).

3 Items Requiring Urgent Attention

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

4 Chairman's Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

None

KEY DECISIONS

7 Target Budget (Minute 115/14 December 2016) (Pages 1 - 2)

Report of the County Treasurer (CT/17/1) on the impact of the Provisional Local Government Settlement for forthcoming year on the preparation of the 2017/18 budget and re-affirmation of service expenditure targets, attached.

[NB: As in previous years and as part of the detailed budget preparation exercise that follows the setting of target budgets, the Cabinet and Council will also have regard to appropriate assessments of the impact of the budget on services and be mindful of any legislative and equality considerations; such assessments will be made available to relevant Scrutiny Committees to be taken into account as part of their deliberations and in order that all Members shall have regard to the requirements placed upon the Council to exercise its Public Sector Equality Duty under s149 of the Equality Act 2010, before making any decisions. The 2017/18 Budget Impact Assessment will be available, alongside any specific impact assessments undertaken as part of the budget's preparation, at:

<https://new.devon.gov.uk/impact/published/budget-setting-201718/>]

Electoral Divisions(s): All Divisions

8 Children's Services: Re-procurement of Services (Pages 3 - 6)

Joint Report of the Chief Officer for Communities, Public Health, Environment and Prosperity and the Chief Officer for Children's Services (CS/17/6) on the process for a procurement exercise for new contract/arrangements for commissioning of children's services, attached.

Electoral Divisions(s): All Divisions

9 Schools Funding 2017/18: Dedicated Schools Grant and High Needs (Pages 7 - 10)

Joint Report of the County Treasurer and Chief Officer for Children's Services (CT/17/7) on the proposed transfer funding between elements of the Dedicated Schools Grant, attached.

Electoral Divisions(s): All Divisions

10 Budget Monitoring 2016/17 (Pages 11 - 14)

Report of the County Treasurer (CT/17/6) monitoring budgetary provision at Month 8, attached.

Electoral Divisions(s): All Divisions

11 Environmental Policies and Action Plans (Minute 104(c)/9 November 2016 and County Council Minute 71/8 December 2016) (Pages 15 - 34)

Report of the Head of Planning, Transportation & Environment (PTE/17/2) on proposed revisions to the Council's Environmental Policies and related Action Plans relating to waste, procurement and countryside and heritage issues arising from the Council's determination of a Notice of Motion on this matter previously submitted by Councillor Wright, attached

Electoral Divisions(s): All Divisions

MATTERS REFERRED

12 Notice of Motion - Pensions 'Triple Lock' (County Council Minute 75/8 December 2016)

The following Notice of Motion submitted to the County Council by Councillor Greenslade has been referred to the Cabinet for consideration, reference to another committee or to make a recommendation back to the Council, in accordance with Standing Order 8(2).

'That the County Council considers the implications for Devon Pensioners and the county economy arising from the refusal by the Chancellor to commit to the "triple lock" for state pensions beyond 2020 in his Autumn Statement; accordingly the Corporate Services Scrutiny Committee be asked to consider this situation and recommend any lobbying action that should be taken.'

Notwithstanding State Pensions are the responsibility of Government and the ability of any Council to directly influence the impact of Pensions administration is limited, the County Council has previously considered and taken a view on the impact of changes upon individuals or categories of pensioners residing in Devon. While neither the County Council nor the Cabinet would normally direct a Scrutiny Committee to look at a particular issue the Cabinet may wish to invite the Corporate Services Scrutiny Committee to examine the matters outlined in the Notice of Motion and comment thereon, as is its prerogative.

[NB: All Members of the Council have been granted a dispensation to allow them to speak and vote in any debate on this matter by virtue of being in receipt of or affected by any changes to the state pension provision]

13 North Devon Locality (County) Committee : Flood Risk Management

The North Devon Locality (County) Committee on 20 December 2016 (Minute 2) received a presentation by the Head of Highways, Infrastructure Development & Waste (PTE/16/67) on the role of the County Council as the Lead Local Flood Authority and the functions of the different organisations involved with flood risk management and efforts to ensure that legal and policy requirements were correctly applied and resolved '(a) ...that this Committee express its concern at the time taken for any meaningful impacts to reduce the flooding risks in North Devon'.

Recommendation that the views of the Locality Committee be noted and taken into account in the development of future work programmes.

STANDING ITEMS

14 Question(s) from Members of the Public

15 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.

16 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>]

- 17 Learning Development Joint Venture Partnership (Minute *435/11 January 2012) (Pages 37 - 40)

Report of the Head of Education & Learning ([EL/17/2](#)) on the process for and letting of a new contract consequent upon the expiration of existing arrangements in 2019, attached.

Electoral Divisions(s): All Divisions

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

- 18 Exclusion of the Press and Public

Recommendation: that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves 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.

- 19 Learning Development Joint Venture Partnership: Award of Contract Extension

[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 Head of Education & Learning ([EL/17/4](#)) on the financial considerations relating to the award of this contract, attached.

PART I - OPEN COMMITTEE

- 20 Devon Independent Living Integrated Service: Outcome of Tenders and Award of Contract (Pages 41 - 44)

Report of the Head of Adult Commissioning & Health ([ACH/17/57](#)) on the outcome of a recent tendering exercise undertaken, in conjunction with New Devon and Torbay & South Devon Clinical Commissioning Groups, for the Devon Independent Living Integrated Service (DILIS) for the provision of Community Equipment, Assistive Technology and Minor Adaptations, as well as information, advice and signposting services, attached.

Electoral Divisions(s): All Divisions

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

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[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 Head of Adult Commissioning & Health ([ACH/17/58](#)), attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

<i>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 at http://www.devon.gov.uk/cma.htm</i>
<i>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.</i>
<i>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.</i>

Membership
Councillors J Hart (Chairman), B Parsons, S Barker, R Croad, A Davis, A Leadbetter, J McInnes, J Clatworthy and S Hughes
Cabinet Member Remits
Councillors Hart (Policy & Corporate), Barker (Adult Social Care & Health Services), Clatworthy (Resources & Asset Management), Croad (Community & Environmental Services), Davis (Improving Health & Wellbeing), S Hughes (Highway Management & Flood Prevention), Leadbetter (Economy, Growth and Cabinet Liaison for Exeter), McInnes (Children, Schools & Skills) and Parsons (Performance & Engagement)
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 Rob Hooper on 01392 382300. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website.
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-i.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 Chairman. 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 Chairman or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.
Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations,

please contact the Officer identified above.

Questions to the Cabinet / Public Participation

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

Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. For further information please contact Mr Hooper on 01392 382300 or look at our website at: <http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/>

Emergencies

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

Mobile Phones

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

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



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