COUNCIL

27 April 2017

Present:-

Chairman: A Moulding
Vice-Chairman: R Rowe


Apologies:-

Councillors E Barisic, A Boyd and J Hone

92 Minutes

The Chairman of the Council MOVED and it was duly SECONDED that the minutes of the meeting held on 16 February 2017 be signed as a correct record.

The Motion was put to the vote and declared CARRIED.

93 Chairman’s Announcements

The Chairman reported the recent death of Alderman Margaret Rogers, a former Chairman of the Council in 1998/99, who had represented the Seaton Rural Division between 1985 and 1989 and between 1993 until 2009: the Chairman had written to the family extending condolences on behalf of the Council.

The Chairman also, and on behalf of the Council, congratulated:

Sara Smith, a Senior Solicitor in the Council’s Legal Services team, upon being awarded the ‘In-House, Public Sector Lawyer of the Year’ at the Devon & Somerset Law Society Awards, for her work in the child protection field;

Hannah Clark, a Transportation Planning Officer in the Council’s Planning and Environment Team upon winning the Peter Swain Emerging Professional of the Year Award in the 2017 SW Region Chartered Institution of Highways & Transportation Awards, for her technical proficiency in the Exeter Bridge and the A30/A303 Honiton to Devonshire Inn schemes; and

the Council’s Transportation Planning Team for its work with Stagecoach on the Exeter Park & Ride/Depot Dual Use scheme which had also won the Innovation Award at the SW Region Chartered Institution of Highways & Transportation Awards.

The Chairman also advised the Council, formally, that Councillor Hannaford had recently been elected as the Leader of the Labour Group on the Council.

94 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.
95 Public Participation: Petitions, Questions and Representations

There was no question, petition or representation from a Member of the public.

96 Petitions from Members of the Council

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

97 Questions from Members of the Council

In accordance with the Council’s Procedure Rules, the Leader and relevant Cabinet Members provided written responses to 13 questions submitted by Members of the Council relating to the Barnstaple to London Rail Line and Franchise Review, Tourism Signs, Parking Meter Payments and Income, Pavement Parking, Speed Limits between Exminster and Kenton, Traffic Management in Powderham, School Crossing Patrols, Cycle Routes, Homelife Care Services, the Teign Estuary Trail/Teignmouth-Dawlish Cycle route and Council funding. Similarly, the Chairman of the Development Management Committee provided a written response to a question on Highway Authority responses to planning applications.

The Leader, relevant Cabinet Member and/or Chairman also responded orally, as appropriate, to any supplementary questions arising therefrom.

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

FRAMEWORK DECISION

98 Devon, Somerset and Torbay Trading Standards Service: Extension of the current joint Trading Standards Service

The Leader of the Council MOVED and Councillor Croad SECONDED that:

‘the Council adopt formally the recommendation of the Cabinet of 8 March 2017 at Minute 165 and resolve that the Council:

(a) approve the discharge of Torbay’s Trading Standards functions in accordance with s101 of the Local Government Act 1972, such functions to be discharged in line with the arrangements approved by the Cabinet on 8 March 2017 (Minute 164 refers);

(b) approve the additional Membership of the Trading Standards Joint Service Panel, to include Torbay Council; and

(c) recognise and accept responsibility for the specific delegations made by Devon County Council to support the transfer of the Relevant Functions’.

The Motion was put to the vote and carried CARRIED.
MATTERS FOR DECISION/OTHER MATTERS

Cabinet Member Reports

The Council received reports from the relevant Cabinet Members on matters of interest or service developments relating to their remits which had occurred since the previous meeting or were likely to have an impact in the future or on specific issues upon which they had been asked to comment, as set out below:

(a) Children, Schools and Skills

Councillor McInnes circulated a Report (appended to the published Minutes) and commented, as requested by Councillors Hannaford and Owen respectively, on the impact of the Apprenticeship Levy upon schools (including representations made to the Government) and upon the rearrangement of the Exeter’s Children’s Centre contracts (acknowledging concerns expressed at the possible of diversity of provision); emphasising nonetheless the Council’s commitment to the provision of children’s centres.

He also responded to questions on the future development of children’s centres in years to come and welcomed the acknowledgment by Members of the overall improvement in children’s services during the course of his tenure.

(b) Adult Social Care and Health Services

Councillor Barker circulated a Report (appended to the published Minutes) and commented, as requested by Councillors Hook and Westlake respectively, on the impact of closure of nursing homes in Newton Abbot and action taken by the County Council to ameliorate resulting problems for residents and upon the likely allocation of the additional £15m Social Care funding from Government.

In the case of the latter, the Cabinet Member advised that detailed guidance on how the additional grant was to be used was still awaited: the grant itself had also not yet been received by the Council.

(c) Economy Growth and Cabinet Liaison for Exeter

Councillor Leadbetter commented, as requested by Councillor Westlake, on the outcome of representations made to Ministers by the Peninsula Rail Task Force at which positive assurances were received and indications given that an announcement would be made in the Autumn. The Cabinet Member also circulated a Report on the South West Trains franchise announcement and details of any specific investments and benefits arising therefrom, details of which were still awaited.

The Cabinet Member also responded to questions on investment in the highway infrastructure, schemes to enhance the resilience of the rail network, the Devon Metro and re-opening of rural rail lines.

Minutes

The Chairman of the Council MOVED and it was duly SECONDED that the Minutes of the under-mentioned meetings of Committees be approved, namely:

- Appeals Committee: 6 February, 13 March, 18 and 27 April 2017
- Investment & Pension Fund Committee: 24 February 2017
- Appointments & Remuneration: 1 March 2017
- Development Management Committee: 1 March and 5 April 2017
- Public Rights of Way Committee: 2 March 2017
- Standards Committee: 27 March 2017
The Council received and endorsed the 2016/17 Annual Report summarising the activities and investigations undertaken by each of the Council’s four Scrutiny Committees during the course of the year and the outcomes arising therefrom and the continuing challenges and development of the Scrutiny role over that period.

The Chairmen of the Council’s Scrutiny Committees paid tribute to the efforts of all Members involved in the work of those Committees and Task Groups and, on behalf of their membership, to the support provided by Officers, particularly Scrutiny Officers, to facilitate the work of scrutiny in Devon. The Chairmen advocated the continuing value of a strong, independent, scrutiny function to advise the Council and commented on the activities of their individual Committees.

Members acknowledged the need for the new County Council to reflect upon the performance of all its Scrutiny Committees over the preceding 4 years and to have regard to the issues raised in the Annual Report and the Health and Wellbeing Scrutiny Committee’s 360 Review Report when determining the future democratic structure and means of exercising its scrutiny function; both to improve the way in which Scrutiny Committees work and achieve meaningful outcomes for the people of Devon.

In associating himself with the above remarks the Leader of the Council also expressed his gratitude to all the Scrutiny Committees for the advice they had given to the Cabinet and Council - both in relation to general overview activity and specific scrutiny work – not only in the past year but throughout the period of this administration.


NOTICES OF MOTION

European Union Habitats Regulations (Minute 89 of 16 February 2017)

Pursuant to County Council Minute 89 of 16 February 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Wright that:

‘Devon is home to many scarce and threatened habitats such as our ancient woodlands, rivers and wetlands, upland blanket bogs, lowland heaths, Culm grasslands and our stunning coast and marine environments. These support a myriad of species with internationally important populations of marsh fritillary butterflies, greater horseshoe bats, otters, overwintering waders and marine creatures including whales, dolphins and basking shark.

European Union Habitats Regulations protection of land and seascapes such as the pebblebed heaths in East Devon, large swathes of Dartmoor and Exmoor, the Exe and Tamar Estuaries and Lundy Island have meant that wildlife has flourished over
the years and has ensured that these places remain crucial international strongholds.

The latest State of Nature report published last October found that the UK has experienced huge losses of habitat and wildlife, and 15 per cent of those studied are threatened with extinction.

Leaving the European Union puts at risk all of these protections - and the Government has not yet promised to retain the same level of protections that currently exist under EU legislation.

This Council recognises the huge importance of these rich landscapes for people and wildlife in Devon – and calls upon the Secretary of State for the Environment to support the Environmental Audit Committee, as well as the coalition of wildlife and nature organisations, asking for retention of at least the same level of protection for our wildlife and environment, as takes place currently under EU law’.

and having had regard to the advice of the Cabinet set out in Minute 170(a) of 8 March 2017:

Councillor Hart MOVED and Councillor Clatworthy SECONDED that the Cabinet’s advice be accepted and that the Notice of Motion be endorsed.

The amendment in the name of Councillor Hart was then put to the vote and declared CARRIED and subsequently thereafter also CARRIED as the substantive motion.

103 South West Local Enterprise Partnership – Chief Executive Pay (Minute 90 - 16 February 2017)

[Councillors Diviani and Leadbetter each declared a personal interest in this matter by virtue of being nominated local authority Directors on the Heart of the South West LEP Board representing East Devon District Council and the County Council respectively].

Pursuant to County Council Minute 90 of 16 February 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Connett that:

‘At a time of huge reductions in Government funding for local councils forcing cuts in health, education, care for older people and children, Devon County Council is offended by the reported 26% pay rise for the chief executive of the Heart of the South West Local Enterprise Partnership. We [Members] call upon the Council to take urgent steps to stop the annual pay rise of £24,271 and if it cannot do that, to withdraw from membership of the Partnership until common sense prevails with regard to top management pay increases’.

and having had regard to the advice of the Cabinet set out in Minute 170(b) of 8 March 2017 and acknowledging the County Council had no power directly to prevent such an increase - notwithstanding its publicly stated opposition thereto (consistent with the majority of local authorities in the Board’s area) - and the subsequent action of the Council in withholding a proportion of funds from the LEP.

Councillor Hart MOVED and Councillor Clatworthy SECONDED that the Cabinet’s advice be accepted and that no further action be taken on the Notice of Motion.

The amendment in the name of Councillor Hart was then put to the vote and declared CARRIED and subsequently thereafter also CARRIED as the substantive motion.
104 Triple Lock Pension (Minute 75 - 8 December 2016)

[All Members of the Council had 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]

Pursuant to County Council Minute 75 of 8 December 2016 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Greenslade that,

‘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.’

and having had regard to the advice of the Cabinet set out in Minute 183 of 12 April 2017 offered in light of the earlier consideration by the Corporate Services Scrutiny Committee on 23 March 2017 (Minute 46):

Councillor Hart MOVED and Councillor Clatworthy SECONDED that the Cabinet’s advice be accepted and the Notice of Motion be endorsed and representations made to Government, through Devon MP’s, to minimise the impact of changes outlined therein.

The amendment in the name of Councillor Hart was then put to the vote and, nem com, declared CARRIED and subsequently thereafter also CARRIED as the substantive motion.

105 Royal Marines and Royal Navy Service Cuts

Councillor Younger-Ross MOVED and Councillor Connett SECONDED that

‘This Council notes the announcement of the First Sea Lord, Admiral Sir Philip Jones to cut the Royal Marines by 200 personnel.

This Council further notes that these cuts are to be made to transfer funds to other parts of the Navy.

This Council recognises the important roll the Royal Marines play in defence of the UK. That they are a world class fighting force, providing a fast, flexible and mobile force and that members of the Royal Marines make up nearly 50% of our elite fighting forces such as the SAS and SBS.

This Council is proud of the association Devon has with both the Royal Navy and the Royal Marines.

This Council is concerned that these cuts will have a detrimental effect on the defensive capabilities of the UK and calls upon the Council Leader to make representations to the Government to reconsider these proposed cuts to the Marines and to look at the priorities for the Royal Navy and how it is to be funded’.

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.
106 **NHS in Devon - Public Enquiry**

Councillor Greenslade **MOVED** and Councillor Connett **SECONDED** that in accordance with Standing Order 6(6), the Notice of Motion submitted by Councillor Greenslade be considered at this meeting.

The Motion was put to the vote and declared **LOST**.

Councillor Greenslade then **MOVED** and Councillor Connett **SECONDED**

> ‘While applauding the care provided by all our NHS medical staff the County Council is concerned at the current state of the NHS in Devon, the impact the NHS “Success Regime” is having and studies suggesting many GP’s will be retiring, being examples of areas for concern.

> Accordingly the County Council agrees to establish a local public inquiry to consider the state of the NHS in Devon’.

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

107 **Chairman’s Closing Remarks**

The Chairman and Party and Political Group representatives thanked those Members of the Council not standing for re-election on 4 May 2017 for their many years of service to the Council and to the public of Devon and paid especial tribute to the contribution of a number of long serving members and in particular the two former Chairmen of the Council, Councillors Richard Westlake and Bernard Hughes.

Councillors Diviani, Foggin, Hannon, Owen, B Hughes and Westlake responded.

[NOTES:

Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by The Reverend Simon Holloway, Priest in Charge of the Five Alive Community Mission in East Devon]

The Minutes of this meeting and of any Committee referred to above (together with minutes of the Council’s Cabinet, Health & Wellbeing Board and Pension Board which while not part of the formal Agenda of this meeting were reproduced therewith for convenient reference) are available on the County Council’s Website.

Minutes should be read in association with any Reports or documents referred to therein, for a complete record. A recording of the webcast of this meeting will also available to view for up to 12 months from the date of the meeting, at [http://www.devoncc.public-i.tv/core/portal/home](http://www.devoncc.public-i.tv/core/portal/home)

The Meeting started at 2.15 pm and finished at 4.58 pm
1. **QUESTION FROM COUNCILLOR GREENSLADE**  
Re: Barnstaple to London - Franchise Review 2018

Relating to the previous support of the County Council for direct rail services from Barnstaple to London can the Cabinet Member give an update as to when we can press the case in respect of the Franchise review expected in 2018?

**REPLY BY COUNCILLOR LEADBETTER**

The Department for Transport has yet to formally confirm whether it will exercise its option to extend the current Great Western Railway franchise by one year from 2019 to 2020. The Department has indicated that it is exploring options for the franchise during 2017. On this basis it is expected that consultation with stakeholders on the franchise specifications will start later in 2017 or early 2018.

2. **QUESTION FROM COUNCILLOR DEWHIRST**  
Re: Tourism Signs for Devon Businesses

Will the Leader join me in condemning the duplicitous dog-in-the-manger attitude of the Mayor of Torbay and his Council in asking Devon to install numerous large, non-standard brown tourism signs for Torbay businesses on Devon County Council land but refusing to allow two small brown signs to be erected near the start of the new South Devon Highway directing visitors towards an excellent Kingskerswell inn which they no longer pass due to the re-routing of the road into Torquay?

What action will he be taking to support and defend this longstanding business, which has been a welcome stop for tourists and locals in Devon and the English Riviera for many years?

**REPLY BY COUNCILLOR HART**

Due to the location of the Inn to the south of Kingskerswell village, a request was submitted to Torbay for permission to install named brown tourism signs to this Inn from the A3022 Riviera Way. This request was rejected by Torbay because it conflicts with their signing policy. It is regrettable that this request was rejected and lesser generic alternatives were offered instead.

The actions the Council have taken to support this business includes the provision of tourism signs to the Inn from the A380 South Devon Highway, agreed under a departure from Devon’s signing policy. And the provision of local services signs on the South Devon Highway that identify the local facilities including food which are available to traffic bypassing Kingskerswell.
3. QUESTION FROM COUNCILLOR WESTLAKE
   Re: New Pound Coins and Parking Meters

   With the introduction of the new one pound coin, what is the timetable to adapt all the on street
   parking meters to accept the new coins in Devon.

   **REPLY BY COUNCILLOR HUGHES**

   Orders have been placed to update on-street parking machines in Devon to accept the new £1
   coins. It’s expected to cost around £40,000 to update all of our on-street parking machines and it
   will be completed by the time the old coin ceases to be legal tender in October. Stickers will be
   placed on the machines to alert members of the public if the machine does not accept new coins
   and these will be removed as the machines are updated. Cashless parking options are now also
   available at our on-street machines, with the cheaper convenience charge of just 3p.

4. QUESTION FROM COUNCILLOR HILL
   Re: Pavement Parking and Joint Working with the Department of Transport

   Following the ongoing discussions between Devon County Council and the Department of
   Transport on the enforcement of pavement parking, would the Council consider an agreement
   with the Department of Transport on providing appropriate signage where a need has been
   identified.

   **REPLY BY COUNCILLOR HUGHES**

   Signing is available in the new Traffic Signs and General Directions Document. The issue
   remains ensuring that our response to the issue is proportionate and sustainable. It is not
   practical to sign throughout communities. The Authority believes that a change to law, as was
   promoted in the Pavement Parking Bill, is the correct response to pavement parking.

5. QUESTION FROM COUNCILLOR HILL
   Re: Pavement Parking and Responses from the Department of Transport

   Would Councillor Hughes please give me an update on the response which has received from
   the Department of Transport, on the two letters he has written asking what progress being made
   by the Committee which has been set up to look into the matter of pavement parking.

   **REPLY BY COUNCILLOR HUGHES**

   There has been no further correspondence from the Department of Transport on the matter.
   However the matter was discussed at the recent British Parking Association Summit in
   Birmingham and officers have committed to working with PATROL to pursue legislative change.

6. QUESTION FROM COUNCILLOR CONNETT
   Re: Speed Limits between Exminster and Kenton

   With more vehicles and cyclists using the A379, what steps is the Council taking to review the
   speed limit between Exminster (Swan's Nest roundabout) and Kenton with a view to
   standardising to the same limit that applies on the road from Starcross to Dawlish (40mph)?

   Why does the Council continue to believe that different speed limits are appropriate given the
   number of accidents and residential accesses on the A379 from Exminster to Kenton?

   **REPLY BY COUNCILLOR HUGHES**

   As you are probably aware this route has been the subject of a detailed route study in 2013.

   There are currently no identifiable collision clusters, and no plans presently for a route safety
   scheme in this section.
The highways and Road Safety teams continue to monitor the route. As Councillor Connett has a concern relating to choice of speed by motorists, this is something that can be discussed with our Neighbourhood Highways Team and the site can be reviewed in our SCARF (Speed Complaint Action Review Forum) process.

7. QUESTION FROM COUNCILLOR CONNETT
Re: Traffic Management Scheme – Powderham

What progress has been made with the long awaited traffic management scheme promised for Powderham, so that residents, cyclists, pedestrians, and drivers are safely able to use the road.

REPLY BY COUNCILLOR HUGHES

The situation is currently unchanged from recent updates to the local member. The Powderham Estate is a key stakeholder in any changes to traffic management in the area. Officers have been advised by Norfolk Property Services that it is inadvisable to make contact with the Estate until ongoing issues with a tenant with regard to the Turf Locks to Powderham scheme have been resolved. The authority will look to make progress as soon as this has been achieved.

8. QUESTION FROM COUNCILLOR CONNETT
Re: School Crossing Patrol Vacancies

How many vacancies does Devon County Council have for school crossing patrol officers (Lollipop crossings)?

What is the average length of time to fill a vacancy? What is the longest period a post has been vacant?

REPLY BY COUNCILLOR HUGHES

There are 103 School Crossing Patrol sites in Devon of which 85% are fully staffed. Recruitment for the 15 vacant sites that are funded by this Council is ongoing.

The length of time between resignation and having new patrol is often dependent on the enthusiasm within the wider school community as this is where many patrols come from. Recruitment is a problem common to many authorities in the South and South West who report they regularly experience long term vacancies from one year to over three years. The National School Crossing Patrol Survey 2016 carried out by Road Safety Great Britain confirms the national difficulty of recruitment and selection and notes on average local authorities have 15% vacancy levels on School Crossing Patrol sites.

The period between an announced vacancy and an applicant coming forward could be as short as 1-2 weeks but could, in some instances, be over five years. Two sites have been vacant since 2012. With this level of variation averages are meaningless.

9. QUESTION FROM COUNCILLOR CONNETT
Re: Markings on Cycle Routes

Why doesn't Devon County Council maintain the coloured markings on cycle routes?

At the BP station at Matford, near Exminster, the markings are faded and it is unclear who has priority - cyclists and pedestrians on the path or drivers accessing the petrol station.

Despite reports of incidents, we seem to be caught in a squabble between the council's cycling team who says it's not their responsibility and highways who say they have no budget.
REPLY BY COUNCILLOR HUGHES

Careful consideration is given to the replacement of coloured surfacing, to ensure that it is still the most appropriate form of demarcation. In this particular instance officers have been considering whether it might be more appropriate to install double give way markings and a clean up of the surface rather than a straight forward replacement of the surface. This change would be subject to audit. I have been given an assurance that either this or the replacement of the coloured surface will be undertaken, within the next 3 months.

10. QUESTION FROM COUNCILLOR HILL
Re: Homelife Care

Can the Cabinet Member please explain what systems are in place to monitor the service being provided by Homelife Care? If a client is unhappy with the service provided, what processes are there for a complaint to be made and, if so, is this information made available to the client?

Will the Cabinet be given a full report on the service which is being given by Homelife Care and is that provider staffed to provide the service required by the County Council?

REPLY BY COUNCILLOR BARKER

The Care Quality Commission (CQC) are the regulator responsible for monitoring overall standards and Devon County Council works closely with them to address issues of quality or safeguarding. The CQC rates Homelife Carers as a good provider (CQC status) and has had no safety issues reported at this time.

Devon County Council require the Primary Providers (Devon Cares, Mears Care or MiHomecare) to maintain oversight of their sub-contractors. There are regular contract monitoring meetings with providers.

People who receive care are given an information pack by the provider when their service starts. It includes details of how to raise concerns (or compliments) and what to do if there is not a satisfactory response. In the first instance, the provider of the service would be responsible for resolving any concerns within their own complaints procedure.

If the Council receives a complaint it is raised with the Primary Provider who would address the issue with their sub-contracting partner.

Members of the public or any professional may also lodge their complaint with the Care Quality Commission, which is responsible for inspecting and regulating personal care providers.

Performance is routinely reported to the People Scrutiny Committee, these reports include information about complaints and compliments. The primary providers are responsible for the performance of their sub-contractors.

Care providers are required to ensure they have the right staffing to meet the needs of care and support packages that they accept and that they are suitably trained and supported. The CQC consider this as part of their inspection work.

11. QUESTION FROM COUNCILLOR YOUNGER-ROSS
Re: Income from Parking Meters

Can the Cabinet Member say how much money the Council receives from parking meters per annum, what the breakdown is of this per area and how much of this is estimated to be by overpayment and people paying when they do not need to.
REPLY BY COUNCILLOR HUGHES

The income from on-street parking is reported each year in our annual parking report. Our most recent report for 15/16 is on our public web pages.

For that year, the income was £2,741,912.

If Councillor Younger-Ross could identify which area he is particularly interested in, I will arrange for the officers to provide the requested information.

With regards overpayment, this is not something our system reports on so I cannot provide a figure. However, overpayment is clearly an issue around customers having the correct change.

We do not want people to overpay and are promoting cashless payment options which are also available at our on-street machines, with the cheaper convenience charge of just 3p which hopefully makes this a more appealing option.

12. QUESTION FROM COUNCILLOR YOUNGER-ROSS
Re: Teign Estuary Trail / Teignmouth to Dawlish Cycle route

Can the Cabinet Member give an update on the Teign Estuary Trail and the Teignmouth to Dawlish Cycle route.

REPLY BY COUNCILLOR HUGHES

The authority continues to pursue the strategy of prioritising the two end sections between Dawlish – Teignmouth and Kingsteignton to Bishopsteignton. The intermediate section between Bishopsteignton and Teignmouth presents considerable challenges and will require further work to achieve a viable solution.

Good progress has been made in designing and consulting on the scheme between Dawlish and Teignmouth. Officers are continuing to work with landowners and stakeholders to design an acceptable and viable scheme on the Kingsteignton to Bishopsteignton section, exploring various alternative options.

This Council will continue to work with partners to explore a range of funding opportunities.

13. QUESTION FROM COUNCILLOR HANNAN
Re: Cuts to Services

Who said on 18 May 2016, ‘Still this Government does not seem to understand that cuts have their consequences’?

REPLY BY COUNCILLOR CLATWORTHY

I would like to remind Councillor Hannan that while this item gives an opportunity for Members to ask questions it is not a quiz show! I am not prepared to guess, but the quote chimes with comments both I and the Leader have made in recent years and if that is what Councillor Hannan is inferring then I welcome his acknowledgment of the strength of feeling within this Cabinet to continue fighting for a fair funding settlement for Devon, which also demonstrates that this administration is prepared to challenge the establishment too!
14. **QUESTION FROM COUNCILLOR GREENSLADE**  
Re: Mannings Pit and Highways Advice  

There has been a number of controversial planning applications in the area surrounding the North Devon District Hospital in recent times. Traffic impact and the lack of recognition of the future growth, due to the Ilfracombe southern extension, being a matter of concern in terms of the highways advice given.

Now a recent application (Mannings Pit), yet to be determined, refers to the traffic impact arising from the future Ilfracombe southern extension.

Therefore if this is being considered for this upcoming application should it not have been considered for the other applications in this area and, due to the lack of consideration for the other applications, should the previous highways advice be reconsidered?

**REPLY BY COUNCILLOR BROOK**  

All recent major applications in the area surrounding the North Devon District Hospital have been approved by North Devon Council’s Planning Committee. There is no mechanism or legal process for the County Council’s view as Highway Authority to be reconsidered.

National Planning Policy Guidance (NPPG) suggests growth associated with committed development should be considered i.e. that which is likely to take place within three years.

Despite the NPPG implication that the Ilfracombe Southern Extension did not strictly require consideration due to not being considered committed development, in the planning applications near to the Hospital the traffic impact of the Southern Extension was considered by the application of background traffic growth.

In relation to the “Mannings' Pit” application the initial officer response on behalf of the County Council as Highway Authority was that a lack of information had been supplied regarding cumulative traffic impact, including a lack of consideration of the Ilfracombe Southern Extension because the submitted Transport Assessment does not include either specific reference to the Southern Extension as committed development, nor the use of background growth data.
Report of the Cabinet Member for Economy, Growth and Cabinet Liaison for Exeter

I have been asked to report by Councillor Westlake on ……

……the peninsular rail group meeting with ministers over services to the south/west. Also the rail group response to the South/West Trains franchise announcement.

Peninsular Rail Task Force

The PRTF Board welcomes the investment proposed for the rail network in the new South West rail franchise starting in August 2017.

The Waterloo – Exeter line is an important second strategic route between London, the South East and the South West. Many users from the South West make connections into other services at locations such as Basingstoke, Woking and Clapham Junction and there is already considerable investment planned for Waterloo itself.

It is however unclear from the announcements to date what specific investment and benefits will be seen on the Waterloo – Exeter route.

Officers are seeking further information from the new franchisee as soon as possible.

I will reply verbally regarding the meeting with Ministers.

Councillor Andrew Leadbetter
Cabinet Member
Economy, Growth and Cabinet Liaison for Exeter
Report of the Cabinet Member
Adult Social Care and Health Services

I have been asked to report by Councillor Westlake on ‘the £15 million allocation to Devon social care budget’ and by Councillor Hook on the ‘closure of nursing homes in Newton Abbot’.

Devon Social Care Budget

The County Council is currently awaiting detailed guidance and rules from Government however we do know that the money will be paid as a grant to the local authority and may only be used for the following purposes.

- Meeting adult social care needs;
- Reducing pressures on the NHS including supporting more people to be discharged from hospital when they are ready; and
- Ensuring the local social care provider market is supported.

It will be a matter for any new administration to agree how the guidance etc will be applied. The allocation reduces each year and only lasts three years. Ensuring improved performance in reported delayed transfers of care (DTOC) will be essential.

Nursing Homes in Newton Abbot

Councillor Hook asked me to report as follows……..

‘on the closure of the last nursing home in Newton Abbot being a real concern for residents who have been displaced and relatives. I am aware that County made efforts to as help, but these were unsuccessful. This closure seems to be part of a worrying trend. Could the Cabinet Member state how he would advise residents of Newton Abbot and surrounding villages to cope without nursing homes in the vicinity? Coupled to the closure of numerous hospitals and the loss of hospital beds, nursing homes and care homes in the county, what advice can he give the sick, infirm and elderly who are in desperate need of these lost facilities’

The local authority is experienced in managing these difficult situations using national best practice guidelines from ADASS at all times. Local teams have worked hard with residents and their carers to find suitable alternative homes.

There are alternative providers in the area which the local operational team have utilised. Where possible residents are offered choices and in this case 14 different homes were used to accommodate the 26 residents who have moved from Forde Park to new accommodation.

Whilst there are pressures on supply in some areas, local teams are able to meet current demand. It is regretted when providers decide to close however new homes are also opening.

Councillor Stuart Barker
Cabinet Member
Adult Social Care and Health Services
Report of the Cabinet Member: Children, Schools and Skills

I have been asked to report by Councillor’s Hannaford and Owen on ‘Exeter’s Children Centre contracts and restructure, including the move to one provider, impact on other organisations and age range change’.

I have also been asked to report, by Councillor Hannaford on ‘Apprenticeships Levy & Schools’.

Exeter’s Children Centre Contracts and Restructure

The planned procurement of the Exeter/East and Mid Devon Children’s Centre was delayed by one year to explore the possibility of jointly commissioning the Public Health Nursing Service and the Children’s Centre Service.

Commissioning of the public health nursing service was consulted upon recently and the decision was made to continue to deliver the service until March 31st 2019 through the Integrated Children’s Service contract (ICS) with Virgin Care. Therefore the Children’s Centre contract will be re-commissioned independently taking fully into account the intentions for public health nursing.

Plans for public health nursing from April 2019 are in development and we expect to align the re-commissioning of the Integrated Children’s Services for community health and care support services to the re-commissioning of children’s centres; setting out a development plan to improve joint working and aligned outcomes for families with young children.

The Children’s Centre pre-procurement work is currently underway and it is anticipated that the tender for one county contract will go live at the beginning of July with contract award by December 2017. The decision to move to a single contract model followed the evaluation of the two recent tenders that brought six district council areas under one provider, and was an operational matter. The change will generate the efficiencies which will be used to extend the service to more children and families, providing better and more targeted support with the expectation of improved social and health outcomes. As part of the pre –procurement a Market Warming event will take place to stimulate providers to look at partnership/collaborative bids. Smaller providers who want to continue but don’t want to scale up can explore and instigate partnership working with other interested providers. There will be opportunities for briefing sessions for the new council and local members prior to the award of contract.

The Children’s Centres have been working with families with primary age children for many years through the targeted families programme. Formalising the age range within the Children’s Centre contract will allow us to capture the valuable work they do and evidence that their intervention improves outcomes for families with multiple
The proposed changes to the contract, including raising the age range to children under 8, have been very well received by current providers and education colleagues through the Devon Education Forum.

**Apprenticeships Levy & Schools**

The new apprenticeship levy applies to any employer with an annual pay bill of £3m or more. 0.5% of the annual pay bill has to be paid into an online digital levy account, which the employer can then only use to fund apprenticeship training and assessment for its employees.

Community and Voluntary Controlled schools will collectively contribute £0.42m to the Council’s levy.

Voluntary Aided, Foundation and Academy schools are treated separately and their eligibility for payment of the levy will depend upon whether or not their individual annual pay bill is more than £3m per annum.

The Local Government Association (LGA) have been lobbying to exempt schools, but to date we are not aware of any change in policy.

We have been communicating with schools about the changes. Community and Voluntary Controlled schools have been provided with an indicative figure to include within their budgets. HR will advise schools on how they can access the money in the Council’s digital levy account to fund apprenticeship training, early in the summer term.

We are suggesting that schools might want to use the reforms as an opportunity to review their workforce resourcing and existing development needs and how they could use apprenticeship qualifications to support those needs. Within the schools sector, there are national developments to enable schools to make better use of apprenticeship qualifications, including the development of new Teaching Assistant, Business Management and a Teacher Apprenticeship Standard.

The Department for Education have also recently issued guidance to schools, which stresses that ‘Apprenticeships are a great way for schools to improve the skills base of their employees… to recruit new staff, and to re-train or upskill existing staff of all ages and levels of experience, in a wide variety of roles’. Their guidance includes an appendix which maps the schools workforce to current and developing apprenticeship qualifications.

We appreciate that schools will inevitably be concerned, but the Council has to comply with the Government’s policy and we are doing all we can to clarify the position for them.

Councillor James McInnes
Cabinet Member for Children, Schools and Skills

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