

CABINET

13 December 2017

Present:-

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

Apologies:-

Councillor R Croad.

Members attending in accordance with Standing Orders 8 and 25

Y Atkinson, F Biederman, A Connett, A Dewhirst and R Hannaford.

* 88

Minutes

RESOLVED that the minutes of the meeting held on 8 November 2017 be signed as a correct record.

* 89

Items Requiring Urgent Attention

(An item taken under Section 100B(4) of the Local Government Act 1972).

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

The Chair had decided that the Cabinet should consider this item as a matter of urgency, in order that it could be informed of the Council's response to the Consultation, in view of the deadline to respond to the Consultation. A briefing note had been circulated for the information of those attending the meeting, also appended to these minutes.

South Western Railway (SWR) had launched a consultation on their December 2018 timetable on 29th September, closing on 22nd December. Passengers in Devon were primarily affected by changes to the Exeter – Waterloo service although many would also have an interest in connecting services to other destinations on the SWR network.

The Cabinet noted that whilst a number of smaller changes were proposed, many of which were positive for Devon, the primary issue of concern was the option to drop calls on Exeter services at Clapham Junction.

The County Council had already responded to the consultation stating its clear preference that the Clapham Junction stop was retained on all services but that on balance the Woking stop could be dropped. Officers would continue to liaise with SWR to ensure the reasons were clearly understood.

In addition, the Peninsula Rail Task Force would also be responding and was likely to support the County Council's stance. The Heart of South West LEP was expected to do the same.

It was not yet known how other authorities and stakeholders along the line would respond but there seemed to be a general acceptance on the importance of the Clapham Junction stop.

* **90** **Announcements**

There was no announcement by the Chair at this meeting.

* **91** **Petitions**

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

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

There was no question from a Member of the Council.

* **93** **Target Budget 2018/2019**

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

The Cabinet considered the Report of the County Treasurer ([CT/17/106](#)) on the impact of the Provisional Local Government Settlement for the forthcoming year, on preparation of the 2018/2019 budget and affirmation / reaffirmation of service expenditure targets.

Members noted that at the time of writing the report, the Secretary of State for Communities and Local Government had not announced the Provisional Local Government Settlement for 2018/19. Whilst the exact date of the announcement was not known, it had to be before the House of Commons rose for the Christmas recess on the 21st December. Should the timing of the Final Settlement follow the same pattern as last year then it should be received in sufficient time for consideration at the scheduled Cabinet and Council budget meetings in February 2018.

The Cabinet further noted that the level of Council Tax increase that would trigger a referendum was expected to remain at 2%.

The Adult Social Care Precept regulations were also expected to remain unchanged. In 2016/17, the Social Care Precept was capped at 2% per annum for the period 2016/17 to 2019/20. Members also recalled that Government changed those regulations last year and allowed Authorities to increase the precept to a maximum of 3% per annum over the period 2017/18 to 2019/20, as long as the total increase over the three years did not exceed 6%.

The Council increased the Adult Social Care Precept by 3% in 2017/18, so if the rules remained (and the Adult Social Care Precept was increased by 2% in 2018/19), there could only be a 1% increase in 2019/20; Likewise, if the Adult Social Care Precept was increased by 3% in 2018/19 then there could be no increase in 2019/20.

The Chancellor of the Exchequer's Autumn Statement (on 22nd November 2017) presented very little specific to Local Government other than in relation to Business Rates (the change in the annual inflationary increase from RPI to CPI had been brought forward by two years to 1st April 2018), Empty Property Council Tax (Government would legislate to allow a 100% council tax premium to be charged on empty properties) and the National Living Wage.

The Report also outlined the 2018/19 100% Business Rate Retention Pilots and the Council's application to become a pilot area and that the Government was expected to announce which applications had been successful at the time of the Provisional Settlement announcement.

Cabinet also noted the additional Improved Better Care Fund Grant for authorities with Adult Social Care responsibilities which meant, in round terms, an extra £15m in the current year, £10m in 2018/19 and £5m in 2019/20. The Government required the grants to be pooled in the Better Care Fund but used for Adult Social Care purposes.

In terms of the 2018/19 Targets, in the absence of the Provisional Settlement, there was inherent uncertainty. Whilst in 2016/17 Councils were given funding figures for the four year period of 2016/17 to 2019/20, the Provisional Settlement would confirm whether the funding for 2018/19 remained in line with the announcement in 2016/17.

The proposed targets set out in the report (2018/19 Base Budget, £000's)

Adult Care & Health £227,851 (+6.1%)
Children's Services £125,487 (+5.5%)
Community Health, Environment & Prosperity £34,727 (-2.3%)
Corporate Services £34,618 (+1.7%)
Highways, Infrastructure Development & Waste £54,708 (-2.7%)

The Capital Programme for 2018/19 to 2022/23 would be presented to Cabinet at the February meeting.

The County Treasurer also updated on the current negotiations in respect of the staff pay award (NJC scales) and that the provisional settlement was anticipated in the week commencing 19 December 2017.

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

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

RESOLVED

- (a) that the lack of clarity over the timing of the Provisional Settlement be noted;
- (b) that the revenue spending targets for 2018/19 as set out in paragraph 5 of the Report, be approved; and
- (c) that Members agree that the Capital Programme be determined by Cabinet on 9th February 2018.

* **94** **Treasury Management Mid-Year Stewardship Report**

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

The Cabinet considered the Report of the County Treasurer ([CT/17/103](#)) outlining the Council's Treasury and Debt Management activities undertaken during the first half of 2017/18 in line with the CIPFA Code of Practice which had been considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 28 November 2017.

The County Treasurer's Report had confirmed that there were no particular issues to draw to the attention of the Cabinet as part of that process.

In summary, the Report stated that no long term or short term borrowing had been undertaken to date in 2017/18 and that the expectation was that no new borrowing would be required during the remainder of the 2017/18 financial year; and investment income was forecast to over-achieve against the budget target of £750,000 in 2017/18.

The matter having been debated and the options and/or alternatives and other relevant factors set out in the County Treasurer's Report and/or referred to above having been considered:

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

RESOLVED that the Mid-Year Stewardship Report for the 2017/18 financial year be noted and welcomed.

* **95** **Reference to Committee: Health and Adult Care Scrutiny Committee - Position Statement (Budget 2017/18) for Public Health and Adult Commissioning and Health**

The Cabinet noted that in considering the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity and also the Report of the Head of Adult Commissioning and Health, on how the Council's strategic objectives were being delivered, the mid-year budget position and future strategic issues for these service areas, attached, the Health and Adult Care Scrutiny Committee at its meeting on 21 November 2017 (Minute 26) resolved that *'the Cabinet be requested to lobby Government for 'fair funding' in respect of both the County Council's Public Health Grant and for Adult Social Care and Health Services'*.

The Cabinet Member for Adult Care and Health commended the suggestion to the Cabinet.

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

RESOLVED that the views of the Health and Adult Care Scrutiny Committee be welcomed and endorsed and Cabinet make representations, as appropriate, in respect of the County Council's Public Health Grant and for Adult Social Care and Health Services.

* **96** **Reference to Committee: Children's Scrutiny Committee - In-Year Budget Briefing**

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

The Cabinet noted that the Children's Scrutiny Committee in considering the Report of the Chief Officer for Children's Services(CS/17/34) on the areas of specific pressures on budgets, potential under and over-spending in the current financial year and on action being taken at its meeting on 16th November 2017 (Minute 23) resolved that the *'Cabinet be recommended to lobby Government on updating legislation regarding school transport due to the large pressures faced by rural counties in providing specialist transport provision'*.

The Cabinet Member for Children's Services and Schools commended the suggestion to Cabinet, advising he was meeting MP's in London in the new year.

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

RSOLVED that the views of the Children's Scrutiny Committee be welcomed and Cabinet make representations, as appropriate, with regard to the updating of legislation on school transport (in light of the pressures faced by rural counties in specialist transport provision), but noting also the potential constraints of the parliamentary timetable.

* **97** **Reference from Committee: Corporate Infrastructure and Regulatory Services Scrutiny Committee - Local Policing Spotlight Review**

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

The Cabinet considered the [Report](#) of the Spotlight Review on the Impact of Changes to Local Policing and consideration of the potential impact that changes to local policing may have and the views of the Corporate Infrastructure and Regulatory Services Scrutiny Committee (28th November 2017 (Minute 35)) that *'the report and recommendations of the*

Spotlight Review be endorsed and commended to the Cabinet, subject to an additional bullet point at Recommendation 5 to read, "in partnership with the County Council, push for the powers of Civil Enforcement Officers to be extended, to allow them to deal with static and moving traffic offences".

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

RESOLVED

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for its Spotlight review and the Report and recommendations of the Review be endorsed, including the additional bullet point at Recommendation 5 to read, "in partnership with the County Council, push for the powers of the Local Authority including Civil Enforcement Officers to be extended, to allow them to deal with static and moving traffic offences";

(b) that Cabinet forward the Report and recommendations to the Chief Constable and the Police & Crime Commissioner for Devon & Cornwall Police, for their consideration and request the Report be fed into the Police's Project Genesis review; and

(c) that a copy of the Report be sent to PATROL (Parking and Traffic Regulations Outside London) Committee for their support on the issue.

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

There was no question from a Member of the public.

* **99** **Minutes**

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

RESOLVED that the Minutes of the following and any recommendations to Cabinet therein be approved.

- i) Devon Authorities Strategic Waste Committee – 1 November 2017
- ii) SACRE – 15 November 2017
- iii) Devon Audit Partnership – 15 November 2017
- iv) Devon Education Forum – 23 November 2017

* **100** **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members and property transactions approved by NPS 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/>

* **101** **Forward Plan**

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

NOTES:

- 1. These Minutes should be read in association with any Reports or documents referred to therein, for a complete record.*
- 2. Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution.*
- 3. The Minutes of the Cabinet are published on the County Council's website.*
- 4. A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-i.tv/core/portal/home>*

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

The Meeting started at 10.30 am and finished at 11.16 am

Briefing Note for Cabinet 13th December 2017

South Western Railway Timetable Consultation for December 2018: Exeter – London Waterloo Services (Clapham Junction calls)

Background

South Western Railway (SWR) launched a consultation on their December 2018 timetable on 29th September, closing on 22nd December. Passengers in Devon are primarily affected by changes to the Exeter – Waterloo service although many will also have an interest in connecting services to other destinations on the SWR network. Whilst a number of smaller changes are proposed, many of which are positive for Devon, the primary issue of concern has been the option to drop calls on Exeter services at Clapham Junction.

SWR has specifically asked a question in the consultation about the balance of stops at Woking and Clapham Junction on Exeter services based on pre-consultation meetings. The question states:

QUESTION: Woking stop in Exeter service

We propose, following the pre-consultation meetings, to stop the Waterloo to Exeter services at Woking. However, instead a Clapham Junction stop could be provided, or even that the service could call alternately every two hours at Woking and every two hours at Clapham Junction.

From the three options, which do you think provides the best interchange opportunities for passengers travelling from the suburban area to Yeovil and Exeter?

SWR has made it clear that it will listen to the feedback from the public and stakeholders and respond to stated wishes as closely as possible. The consultation documents state that the issues it is trying to balance are:

- Speeding up journeys based on pre-consultation feedback
- Maximising the number of services (and therefore number of available seats) able to pass through Clapham Junction in peak periods. Each service calling at Clapham Junction in the peak period reduces the number of arrivals or departures at Waterloo by one due to the time taken to stop compared to a service running through non-stop.

Discussion

The County Council and other stakeholders in the South West have long supported the aim of reducing the journey time on Exeter – Waterloo services. It is recognised however that this has to be balanced with connectivity needs.

The majority of Exeter services currently call at both Woking and Clapham Junction. Woking provides an interchange with the coach link to Heathrow as well as connections into some intermediate stations to Clapham Junction and the Portsmouth line. Clapham Junction provides a wide range of connections across South / South West London and beyond including Kensington Olympia / Shepherds Bush and North London, Richmond / Twickenham, Kingston / Epsom, Victoria, East Croydon / Gatwick Airport / Brighton, Sutton and East London via the London Overground.

Woking can be a useful stop for East Devon residents wanting to access Heathrow although many people in Devon travel via Reading and the coach link there which is faster and more frequent. Not

stopping at Woking would however provide benefits in reducing the journey time by several minutes but just as importantly increasing the number of seats available which are taken by Waterloo / Clapham to Woking and vice versa journeys. Keeping the Woking stop in after December 18 could see more people using the service between Clapham Junction and Woking in particular in the context of fewer other Woking services calling at Clapham. This could increase crowding and reduce the number of seats for Devon passengers. Those still wishing to access Woking to / from Exeter services would have the option of changing at Basingstoke into frequent connections although it is recognised that this would increase journey times and be less convenient for those with luggage or needing assistance.

Anecdotal evidence suggests that a very high proportion, often over half, of passengers on Exeter services alight or join at Clapham Junction. This can be particularly convenient for leisure travellers to / from the destinations noted above but also business users too. The Gatwick Airport connection is particularly useful and needs to be balanced against connectivity to Heathrow. The need to maximise the number of services and seat capacity in peak periods through Clapham Junction is acknowledged but unlike many other destinations on the network the Devon area does not have a choice of services and high frequency to Waterloo that might give alternative options. Leisure travel is important on this route and these passengers particularly value the direct connections available. Waterloo is arguably more useful for commuters although still important for leisure.

Not all services on the line travel as far as Exeter and there are a significant number of other stations along the line in Dorset, Somerset and Hampshire. Other services start or finish at Salisbury or Yeovil Junction which gives options for these services to call at Woking instead of Clapham (which is generally the current pattern). This option is not available at all times when the Exeter service is the only one available.

The suggested option of calling alternately at Woking and Clapham Junction would appear to be too complicated and not genuinely satisfy anyone's needs, particularly when connecting to / from other services. It is also susceptible to problems at times of disruption which could lead to passengers having some very long waiting times.

Action Taken

The County Council has already responded to the consultation stating its clear preference that the Clapham Junction stop is retained on all services but that on balance the Woking stop could be dropped. Officers will continue to liaise with SWR to ensure the reasons are clearly understood.

The Peninsula Rail Task Force will also be responding and is likely to support the County Council's stance. The Heart of South West LEP is expected to do the same.

It is not yet known how other authorities and stakeholders along the line will respond but there seems to be a general acceptance on the importance of the Clapham Junction stop. Woking may be more important as a Heathrow interchange for those areas that do not have an alternative route via Reading.

References

<https://www.southwesternrailway.com/contact-and-help/timetable-consultation> (detailed timetables for Monday to Friday are also available via this page)

https://www.southwesternrailway.com/~/_media/pdfs/timetable-consultation/clapham-stops.pdf?la=en