

CABINET

9 February 2018

Present:-

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

Members attending in accordance with Standing Orders 8 and 25

Y Atkinson, J Brazil, A Connett, A Dewhirst, R Edgell, R Hannaford, S Randall-Johnson and D Sellis.

* 120

Minutes

RESOLVED that the minutes of the meeting held on 10 January 2018 be signed as a correct record.

* 121

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 122

Announcements

There was no announcement by the Chair at this meeting.

* 123

Petitions

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

* 124

Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the Leader and relevant Cabinet Member responded to four questions from a Member of the Council on issues surrounding the Carillion collapse including the economic impacts, affected sectors and the impact on apprenticeships.

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

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

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Revenue Budget, Medium Term Financial Strategy 2018/2019 - 2021/2022 and the Capital Programme for 2018/2019 - 2022/2023

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

1. Treasury Management and Investment Strategy

The Cabinet noted that, at its meeting on 31 January 2018, the Corporate Infrastructure and Regulatory Services Scrutiny Committee (Minute *49) had reviewed and endorsed the Report of the County Treasurer (CT/18/08) on the Treasury Management and Investment Strategy for 2018/19 which outlined the Council's policies in relation to: the management of the Council's cashflows, its banking, money market and capital market transactions; borrowing

and investment strategies; monitoring of the level of debt and funding of the capital programme.

It had been prepared in line with the CIPFA Code of Practice and the policies had been reviewed for 2018/19 in the light of the revised code and revised Treasury Management Practices (TMPs). The Strategy would inform the preparation and presentation of the Budget for 2018/19 and consequently:

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

RESOLVED that the Treasury Management Strategy for 2018/19 previously considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee be approved and incorporated in the 2018/19 budget.

2. Revenue Budget, Capital Programme & Medium Term Financial Strategy

The Cabinet also considered and had regard to:

(i) the Report of the Chief Executive (CS/18/8) summarising the outcomes of and comments/observations made at consultation meetings with representatives of Devon's Business Community, Trades Unions, representatives of Older People and the Voluntary Sector and also through the Leaders consultation meetings with Town and Parish Councils which took place between October 2017 and December 2017;

(ii) the Minutes of the Council's Scrutiny Committees held on 23rd, 25th and 31st January 2018, the recommendations being summarised at item 7c on the agenda;

(iii) Minute 62 of the Devon Education (Schools) Forum, held on 15 January 2018, relating to the budget;

(iv) a 2018/19 Budget Impact Assessment, circulated to all Members of the Council prior to the meeting and available at <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/> alongside specific quality impact assessments referred to therein and undertaken as part of the budget's preparation;

(v) the Report of the County Treasurer (CT/18/9) (also circulated prior to the meeting in line with Regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)) on the Revenue Budget and Medium Term Financial Strategy for the period 2018/19–2021/22 and the Capital Programme for 2018/19–2022/23, including an assessment of the adequacy of reserves, a range of prudential indicators concerning the financial implications of the capital programme and an assessment of the risks associated with the budget strategy and how those would be managed, comprising in detail:

Introduction	
Appendix A	- Specimen Statement on Robustness of Budget Estimates & adequacy of the County Council Reserves
Appendix B	- Revenue Budget 2018/19
Appendix C	- Summary Revenue Budget 2018/19
Appendix D	- Medium Term Financial Strategy 2018/19 -2021/22
Appendix E	- Risk Analysis of Volatile Budgets
Appendix F	- County Fund Balance and Earmarked Reserves for 2018/19
Appendix G	- Capital Programme 2018/19 - 2022/23
Appendix H	- Treasury Management Strategy & Prudential Indicators 2018/19 – 2022/23
Appendix I	- Fees and Charges

The preparation of the budget for 2018/19 had been set by the detailed assessment of the risks associated with each budget and the goals and objectives of the Council. A number of

budgets could be classified as high risk because they were subject to external demands which were difficult to manage. Other budgets were affected by above average inflation, strong market forces or other factors not easy to predict. Details of those budgets, the level of risk presented and action taken to mitigate the risk could be found in Appendix E of the Report.

The Cabinet was assured that the budget before it was an effective and balanced budget, which could be commended to the Council.

Cabinet noted that 2018/19 was the third year of the Government's four-year Local Government financial settlement. The Settlement was £122.492 millions, which was in line with expectations, despite reductions. However, there were other changes, as set out in the Report, including the Rural Services Delivery Grant in 2018/19 (which would remain at the current level), that proposed changes to the New Homes Bonus Scheme would not go ahead and a change in the annual Business Rates inflationary increase from Retail Price Index (RPI) to Consumer Price Index (CPI), effective from 2018/19.

The Report outlined that the Authority, in partnership with the eight Devon District Councils and two Unitary Councils, had been selected to become a Business Rates Pilot in 2018/19. The success of the Devon wide bid brought opportunity to help inform future local government finance reform and also a potential financial benefit of just under £17 millions to geographic Devon of which nearly £10 millions could come to the County Council. The importance of working with partners and District colleagues was emphasised.

Members attending under Standing Order 25 recognised the difficulties faced by the Council in setting a budget, particularly with the late settlement figures. The Cabinet also acknowledged concerns expressed previously that the underlying position remained fundamentally the same and that, overall, Devon's settlement still reflected historic low levels of funding with inadequate funding levels in a number of areas; between urban and rural areas, in public health and also education funding.

The Cabinet Member for Resources & Asset Management outlined the total revenue budget of £511.841 millions and service budgets totalling £477.391 millions.

The Public Health grant remained ring fenced and for 2018/19 was £27.512 millions which represented a reduction of £726,000 (2.6%) on 2017/18. A letter from Public Health England (21.12.17) gave an indicative further grant reduction by 2.6% for 2019/20, but suggested the ring-fencing should be removed beyond 2020 subject to relevant assurance arrangements.

The Dedicated Schools Grant had increased to £499.1millions (from £481.7millions), however, Devon's schools remained among the most poorly funded in the Country.

The indicative Capital Programmes for 2019/20, 2020/21, 2021/22 and 2022/23 were shown in summary Table B Appendix G and Cabinet noted that the levels would be reviewed in the light of the overall level of revenue and capital resources available to the Council for each year. The overall capital programme for 2018/2019 was £105.640 million and its financing shown in summary Tables A and B of Appendix G.

The targets and draft budgets for each service area, as set by Cabinet and subsequently reviewed by the Council's Scrutiny Committees, were subject to different pressures and influences. The Children's Services base budget was £125.487 millions (an increase of 5.5% from 2017/18), and included inflation and pressures of £10.038 millions and required savings and income initiatives of £3.515 millions.

The Adult Care and Health base budget was £227.851 millions (an increase of £13.082 millions or 6.1% from 2017/18), and included inflation and pressures of £11.337 millions and required savings and income initiatives of £8.403 millions.

The Communities, Public Health, Environment and Prosperity Services base budget was £34.727 millions (a reduction of 2.3% from 2017/18) and included inflation and pressures of £1.034 millions and required savings and income initiatives of £1.837 millions.

The Corporate Services base budget was £34.618 millions (an increase of 1.7% from 2017/18) and included inflation and pressures of £2.957 millions and required savings and income initiatives of £2.364 millions.

The Highways, Infrastructure Development and Waste Services base budget was £54.708 millions (a reduction of 2.7% from 2017/18) and included inflation and pressures of £3.227 millions and required savings and income initiatives of £4.723 millions.

The Cabinet Member for Resources & Asset Management further outlined £10,000 for each Member in respect of locality budgets, a further £10,000 for capital schemes and also the continuation of the Town and Parish (TAP) fund, to be renamed 'Communities Together.

He further confirmed the budget included a 2% increase in the Social Care precept for 2018/19. Authorities were allowed to increase the Social Care precept by no more than 3% per annum (but no more than 6% over the period 2017/18 to 2019/20). The Council increased the Adult Social Care Precept by 3% in 2017/18. If the Adult Social Care Precept is increased by 2% in 2018/19 then there can only be a 1% increase in 2019/20. The settlement had set the Council Tax increase that would trigger a referendum, excluding the Social Care Precept, at 3% for 2018/19; an increase of 1%, therefore the proposal was for a 2.99% rise as well as the Social Care Precept of 2%.

A Band D Council Tax would, if the proposed budget was approved, increase by 4.99% to £1,331.19p. The Council Tax requirement for the Council was £382,118,036.26.

In formulating the proposed budget, as now submitted, the Leader acknowledged the suggestions arising from the various consultations and to those issues raised by individual Scrutiny Committees; as referred to above, and confirmed an additional £6.5 million for highways and also £2.2 million for adult social care support.

The Cabinet acknowledged that a Budget 2018/19 Impact Assessment had been prepared previously and taken into account by Scrutiny Committees as part of their earlier deliberations together with those specific impact assessments undertaken as part of the budget's preparation or in relation to service reviews arising therefrom: to ensure all Members had all relevant information in having regard to the responsibilities placed upon the Council to exercise its Public Sector Equality Duty under s149 of the Equality Act 2010 when considering the proposed budget, its impact and any mitigating action required, prior to making a decision. The preparation of Impact Assessments was necessarily a dynamic process and that individual assessments for specific proposals may necessarily have to be developed and updated with time. The Impact Assessment had been made available to all Members of the Council for the purpose of this meeting and the County Council on 15 February 2018.

The County Treasurer also confirmed that, in her view, the proposed budget represented a sound and achievable finance plan for 2018/19.

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, including the separate risk analyses set out therein:

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

RESOLVED that the County Council be recommended to:

(a) have full regard to the responsibilities placed upon the Council in the exercise of its Public Sector Equality Duty under s149 of the Equality Act 2010 (as set out in the 'Budget 2018/19 Impact Assessment' circulated previously for the purposes of this meeting, and specific

impact assessments undertaken as part of the budget's preparation) in considering the proposals and their impact, before making a decision;

(b) have regard to the views of the Council's Scrutiny Committees, the Devon Education Forum, the Business Community, the Voluntary Sector, and the Trades Unions and other consultees on the budget (set out elsewhere on the agenda);

(c) note the Final Settlement Funding of £122.492 millions;

(d) approve the budgets (detailed booklet circulated) within the targets set;

(e) approve the Net budget of £511.841 millions as set out in Appendix C

(f) approve that a 2% Adult Social Care Precept is set;

(g) approve that the Council Tax requirement be set at £382,118,036.26;

(h) approve the precepts required from each District Council and the levels of County Council Tax for each of the eight property valuation bands consequent upon the budget as amended by adjustments in collection in the current year, as set out in Annex 1 of Appendix B;

(i) note the Medium Term Financial Strategy for 2018/19 to 2021/22, as set out in Appendix D;

(j) note the risk assessments set out in Appendix E and in particular, the risks associated with containing costs and maintaining service provision against a background of significant budget reductions;

(k) take account of the risks outlined in Appendix E in determining the final service budgets, levels of reserves and Council Tax figure to be recommended to the Council;

(l) note the report on balances and earmarked reserves for 2018/19, as set out in Appendix F;

(m) approve the Capital Programme for 2018/19 of £105.640 million and its financing as shown in Summary Tables A and B of Appendix G;

(n) approve, for planning purposes, the indicative Capital Programmes for 2019/20, 2020/21, 2021/22 and 2022/23 shown in summary Table B Appendix G. These levels will be reviewed in the light of the overall level of revenue and capital resources available to the Council for each year;

(o) approve the adoption of the Treasury Management and Investment Strategy for 2018/19, as set out in Annex 1 of Appendix H;

(p) approve the Prudential Indicators for 2018/19 to 2022/2023 contained in Appendix H;

(q) approve the amendment to the Minimum Revenue Provision Strategy for 2017/18 set out in Appendix H;

(r) approve the Minimum Revenue Provision Strategy for 2018/19 set out in Appendix H;

(s) delegate to the County Treasurer the authority to effect movements between the separately agreed limits for borrowing and other long-term liabilities;

(t) approve that changes to charges in relation to inflationary increases be agreed by the appropriate Cabinet Member in consultation with the Treasurer; and

(u) approve that changes to charges within Communities, Public Health, Environment and Prosperity services and Highways Infrastructure and Waste be agreed by the appropriate Cabinet Member in consultation with the Treasurer.

[NB: All Members of the Council had been granted a dispensation to allow them to speak and vote in any debate on the setting of the Council Tax or Precept or any fees and charges arising therefrom as a consequence of simply being a resident of or by virtue of being a resident of or a land, business or property owner in the administrative County of Devon, or by being a parent or guardian of a child in a school on any matter relating to school meals and school transport or in relation to the setting of members' allowances or by being a parent or guardian of a child in a care or in receipt of a state pension. The Impact Assessments referred to above are available at: <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819>

* **126** **Admission & Education Transport Policies for 2018-19 and 2019-20**

(Councillors Brazil, Connett, Dewhirst and Hannaford 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 her son being in receipt of Council transport and withdrew from the meeting during its consideration).

The Cabinet considered the Report of the Head of Education and Learning (CS/18/9) on the approval to Admission & Education Transport Policies for 2018-19 and 2019-20, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Local Authority (LA) had a statutory responsibility to propose, consult on and determine admission arrangements for community and voluntary controlled (VC) schools and co-ordinated admission schemes for the normal round of admissions to all state-funded schools. Consultation in Devon was held ahead of the statutory deadline for annual determination by the Cabinet. Schools that were their own admissions authority were responsible for their own arrangements and determined by the schools themselves.

This Report highlighted the outcome of the consultation on primary and secondary school admission arrangements for 2019-20 and the co-ordination of primary and secondary school admissions and to seek approval to the schemes. Admission to special schools and fee-paying independent schools was not included.

Cabinet were being asked to determine the Normal Round Co-Ordinated Admissions Scheme for 2019-20, the In-Year Co-Ordinated Admissions Scheme for 2018-19, the Education Transport Policy for 2019-20 and the Fair Access Protocol, for implementation from the summer term 2018 with amendments summarised at section 2. All policies were published at <http://devon.cc/lapolicies>

In addition, Cabinet were asked to approve the admissions cycle timetable drawn up for the following year's admissions arrangements cycle, set out at Appendix Three.

The Cabinet noted that the admission arrangements had been proposed and consulted on by the Local Authority and also that in a more autonomous school system, Local Authorities needed to ensure schools complied with the admissions code and had to be prepared to challenge any practice that was neither legal nor inclusive.

In addition, equality of access to education opportunities was a fundamental feature of school admission arrangements. All policies for consideration had been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements. An Equality Impact Assessment had been completed as part of this decision making process which was referred to in the Head of Service's Report and available to all Members at www.devon.gov.uk/admissionarrangements, for the attention of Cabinet at this meeting. It recognised that the proposed admissions policy supported the principle of providing local places for children at local schools and the role of the service in determining pupil admission arrangements which maximised parental preference and to promote social equity and community cohesion.

In previous years, the Education Transport Policy had been included in the admissions consultation and Members had been requested to consider them at the same time. The arrangements proposed for 2019/20 for statutory age children and Post-16 students were those previously determined for 2018/19 with changes proposed to the wording to improve understanding. Members were able access a tracked changes document reflecting the changes.

The Impact Assessment in relation to Transport highlighted the aims of the service in facilitating parental and student preference for education within the limits of published and identifiable criteria for entitlement, in accordance with relevant legislation. The Assessment recognised that care had to be taken to retain public confidence that the policy was as fair as possible and didn't result in disproportionate numbers of refusals for particular groups of children.

It also highlighted that public confidence had to be maintained as far as possible that an appropriate balance was struck between the demand for transport and the requirements to provide a cost-effective, efficient service.

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 McInnes, **SECONDED** by Councillor Hart, and

RESOLVED that

(a) the Published Admission Numbers for community and VC schools for 2019-20, as set out at Appendix One of the Report, be approved;

(b) the catchment areas for community and VC schools for 2019-20, as set out at Appendix Two of the Report, be approved;

(c) the amendments to both co-ordinated admissions schemes, as detailed at Appendix Four of the Report, be approved;

(d) the amendments the Fair Access Protocol, as detailed at Appendix Five of the Report, be approved; and

(e) the Education Transport Policies for 2019-20 and amendments detailed at section 6.1 of the Report be approved.

* **127** **Future Arrangements for 0-19 Public Health Nursing Services**

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

The Cabinet considered the Joint Report of the Chief Officer for Communities, Public Health, Environment and Prosperity and the Chief Officer for Children's Services, on the outcome of the options appraisal and proposed recommendations for the provision of the 0-19 Public Health Nursing, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Council's Director of Public Health (DPH) had statutory responsibility for the nationally mandated 0-5 Public Health Nursing Service, which could not be delegated. The Council was one of five partners in a commissioning partnership for the provision of Integrated Children's Services (ICS) provided by Virgin Care Ltd. The 0-19 Public Health Nursing Service (PHNS) was one of the services, overseen by the DPH, the contract for which came to an end on 31st

March 2019. The Cabinet, on 11th October 2017, approved the undertaking of an options appraisal for the provision of the 0-19 Public Health Nursing, Portage and ROVICs services from April 2019 onwards as well as the undertaking of a public consultation.

In considering the future service delivery model for the 0-19 PHNS from April 2019 onwards, the following options had been considered and fell into two broad categories, the first being the procurement of the PHNS and second the Councils direct delivery of the PHNS.

Within each of the categories two options were considered:

Procurement of the Public Health Nursing Service

- 1a: Open procedure with one contract
- 1b: Procure a joint venture delivery vehicle

Devon County Council direct delivery of the PHNS

- 2a: 'In-house' as a department of Devon County Council
- 2b: Placing all activity relating to the PHNS into a wholly owned subsidiary of Devon County Council.

The service delivery models had been assessed against a set of strategic objectives for the delivery of the 0-19 PHNS, as outlined in the Report. However, irrespective of the delivery model a number of assumptions for the service remained, which included the specification for the 0-19 PHNS being based upon the national template 0-19 Healthy Child Programme, the budget of £10million per annum for the service which did not alter and that assumptions had necessarily been made on the staffing requirements.

The public consultation had been undertaken through the Have Your Say website from 6th December 2017 – 15th January 2018. A total of 135 online responses were received with additional written representations from various medical committees, the CCG and Virgin Care Ltd. A number of key these emerged around workforce, System Alignment, Service Offer and Clinical Governance.

The Chief Officer's Report referred to the Impact Assessment undertaken in relation to the proposals outlined in the report. The Service would continue to work to the localised National Specification from April 2019, which had a positive impact on tackling health inequalities as the fundamental principle of what it sought to address. The service model would enable the continued provision of a more effective and efficient delivery of the Universal and Targeted elements of the service, with improved timeliness, accessibility and responsiveness to families' needs where possible. The service specification included clear equality and access requirements, and the impact on children, young people and their families with protected characteristics and/or other vulnerabilities which would continue to be monitored and evaluated as the revised model developed.

No unmanageable consequences for current and future service users had been identified as a result of the service delivery options. Regardless of the commissioning and procurement arrangements, the protected characteristics would be considered across all elements of the service to ensure that the service reduced harm for those in greatest need.

The Cabinet also had before them the Report of the Children's Scrutiny Committee and Health and Adult Care Scrutiny Committee Public Health Nursing Spotlight Review, (CSO/18/9) which was considered in conjunction with the Joint Report of the Chief Officers above. The Spotlight Review had met on the 24th January 2018 to review progress in developing options for Cabinet. This had built upon the work undertaken by the former 'People's' Scrutiny Committee' in March 2017 when the public health nursing contract was reviewed. The focus of the revisit was to contribute to the current decision on the future delivery model for the service.

The Report outlined a number of principles that service delivery should uphold which were around improved outcomes and life chances for children, strong governance and leadership,

support for frontline staff, working collaboratively across the whole system, enabling IT systems and to champion Devon as an exemplar.

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 Croad, **SECONDED** by Councillor Hart and

RESOLVED

(a) that from April 2019, the Council's Children's Services be the provider of the 0-19 Public Health Nursing Service;

(b) that when the Council is satisfied that the 0-19 Public Health Nursing Service is achieving the objectives that the Council has set, in conjunction with national requirements, the Council explore alternative delivery models; and

(c) that the Children's Scrutiny Committee and Health and Adult Care Scrutiny Committee be thanked for their Public Health Nursing Spotlight Review, the recommendations of which are accepted and endorsed, have been taken into account during the above deliberations and Cabinet welcomes the commitment of the spotlight review group to undertake follow up work in this area to ensure the principles of the report recommendations are upheld.

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

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Oaklands Park and Ratcliffe Schools, Dawlish: Joint Changes to Provision

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/18/7) on approval for the merger of Oaklands Park and Ratcliffe Schools to provide a single provision across both sites for pupils aged 3-19 years, the Report being circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report outlined that the Governing Body of Oaklands Park and Ratcliffe Schools (Foundation Special Schools within the Sentient Co-operative Trust) had proposed merging the two schools to ensure the ongoing high quality educational standards against changing patterns of provision and demand for children with additional needs and within a sustainable financial climate. The Governing Body had undertaken the necessary consultation and was seeking final approval to implement the change.

The two Schools were currently situated on adjacent sites and the Dawlish Federation of Special Schools consisting of Oaklands Park and Ratcliffe Schools was formed in January 2016 and both Schools were part of the Sentient Co-operative Trust.

Oaklands Park School was inspected by Ofsted (education) in February 2016 and required improvement. The residential provision was inspected in June 2016 and also required improvement, although at the time of the inspection, the residential provision was in a period of a change following the closure of the Children's Home and the establishment of the residential special school provision. A follow up monitoring inspection visit (education) confirmed that senior leaders and governors were taking effective action to tackle the areas requiring improvement identified.

Ratcliffe School was inspected by Ofsted (education) in March 2015 and was rated Good. Good teaching featured across the school and there were examples of outstanding practice in all key stages. The residential provision of Ratcliffe School was inspected by Ofsted (Social Care) in November 2017 and required improvement, however, there were no serious or

widespread failures that resulted in pupils' welfare not being safeguarded or promoted. Again, work was ongoing to further improve the quality of education and care.

The current provision at the Schools was outlined in the Report with Oaklands Park School having 60 places including 17 residential places for boys and girls aged 3-19 with Severe Learning Difficulties, Complex Communication and Interaction Difficulties and Autistic Spectrum Conditions. Ratcliffe School had 96 places including 40 residential places for boys and girls aged 5-16 with Communication and Interaction Difficulties and Social Development Needs.

The Governing Body of Oaklands Park and Ratcliffe Schools were proposing to merge the Schools to provide a single provision across both sites for pupils aged 3-19. The school would continue to provide 156 registered places but planned to increase the number to 190 in the future, but Cabinet noted this would be subject to further consultation.

Also proposed was the reduction of residential places to 35 weekly residential places for pupils aged 3-19 to reflect current and future demand for places, with merging the residential provision from April 2018 and the two schools from August 2018, reopening as one residential special school in September 2018.

The proposal met current need as the Schools had seen a gradual but continued reduction in the number of pupils being placed residentially at both schools and there was no expectation that there would be any significant increase in demand in the future.

There was a high demand for special need places and the change in provision was in line with the emerging Strategic Review of Special Needs places being undertaken in the County, Devon's Local Offer and the Education Infrastructure Plan to ensure the most effective use of resources and future pattern of service delivery.

The Report outlined the financial considerations of the proposals, including the need to target educational resources, the redesign and structure of the schools, the impact on staffing and associated costs.

The Head of Service's Report also incorporated an Impact Assessment relating to the possible impacts of the proposal, which had been circulated with the agenda 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.

That assessment outlined that the combined impacts were seen to be positive with improved and sustainable provision for pupils for the future, therefore no unmanageable impacts had been identified. The assessment highlighted that all young people placed would have an Education Health and Care Plan. In terms of monitoring, placements to school were managed, monitored and allocated by the SEN Team following consultation with the school. There were clear entry and exit criteria and procedures with an emphasis on re-integration and inclusion being required, with an aspiration for employability on exit, ensuring that provision developed employability and independence skills.

The Governing Body considered that the merged Schools and changes to provision would provide future sustainability, fulfil demand for this specialist provision and meet both theirs and the LA's statutory duties to provide places and for pupils to be able to attend their local school.

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 McInnes, **SECONDED** by Councillor Hart, and

RESOLVED that the proposal to merge Oaklands Park and Ratcliffe Schools to provide a single provision across both sites for pupils aged 3-19 years be approved, which will include provision of 156 registered day places. Residential places will be merged and reduced to 35 weekly residential places from April 2018. The two schools will merge in August 2018, reopening as one Residential Special School in September 2018.

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

* **129** **Exeter HATOC: (Residents Parking Working Group - Minute 38)**

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

The Cabinet noted that, in considering the Report of the Chief Officer for Highways, Infrastructure Development and Waste the Exeter HATOC on 16 January 2018 (Minute 38) had resolved that '*(d) that the Cabinet be requested that sufficient funds are provided from the On-Street Parking account to ensure the delivery of the Residents' Parking proposals for the City, detailed in the Working Party's Paper, as approved by this Committee*'.

In light of this issue being fully considered at the April 2018 meeting of the Cabinet, it was **MOVED** by Councillor Hart, **SECONDED** by Councillor Hughes, and

RESOLVED that Cabinet take this referral from the Exeter HATOC into account at its meeting on 11 April 2018 when full consideration will be given to the programme funded from the On-Street Parking account.

* **130** **Children's Scrutiny Committee - Children's Social Care Site Visits (Minute 38) and Budget 2018/2019 (Minute 35a)**

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

The Cabinet noted that in considering the Report of the County Solicitor (CS/18/4) which reported on a number of matters as a result of site visits to Children's Social Work offices in each of the four County localities and as part of ongoing work to monitoring the performance and effectiveness of the County Council's arrangements to protect and safeguard children in Devon from harm. The Committee had received the Report, noting key themes such as recruitment and retention difficulties, improvements in caseload management, placement sufficiency, support for care leavers, consistency in terms of family practitioners and CAMHS. The Children's Scrutiny Committee had subsequently resolved '*that the Report be commended to Cabinet and the issues raised regarding car parking difficulties for Social Workers and Social Worker professional development be further reviewed*'.

Also, as part of the Budget debate and in considering the Report of the County Treasurer (CS/18/3) on the proposed budget for 2018/19, the Committee had resolved '*that social work training, professional development and opportunities for career progression are reviewed, investigating current schemes already in place at neighbouring authorities*'.

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

RESOLVED that Cabinet welcomes the Task Group's report, particularly noting the dedication and hard work of all staff. The Cabinet Member for Children's Services will take all appropriate action to ensure that the Council looks into the issue of car parking for those staff for whom this is a concern. In relation to the questions raised by the Task Group about entry into, and support for, qualifying social work professional training, continuing professional development and opportunities for career progression, Cabinet endorses the seriousness and

importance of the matters raised. The social work profession is entrusted with the responsibility to ensure the safety and well-being of our most vulnerable children and young people as well as vulnerable adults. Cabinet notes that the senior leadership team in Children's Services is developing a Workforce Strategy that will address these matters. The Cabinet Member will satisfy himself that this work comes to fruition in a timely way and that Overview and Scrutiny have the opportunity to be involved in the development of the strategy.

* **131** **Health and Adult Care Scrutiny Committee - Spotlight Review NHS Inquiry (Minute 45)**

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

The Cabinet considered the updated Report of the Spotlight Review (CSO/18/6) and the resolution of the Health and Adult Care Scrutiny Committee at its meeting on 25 January 2018 which had resolved '(a) that the Cabinet and the NHS in Devon be requested to endorse the Report and its ambitions with the specific recommendations detailed in the Report with a report on progress against the spotlight review recommendations in six months' time and that the Report be sent to all Devon MPs; and (b) that this Scrutiny Committee does not, at this time, call for a public inquiry but will continue to monitor the impact of the STP and the move to an 'Accountable Care System'; and to support effective scrutiny, a report outlining the expectations on how health and social care services will be delivered and improved in Devon be requested for a future meeting.

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

RESOLVED

(a) that the Health and Adult Care Scrutiny Committee be thanked for their Report and Cabinet endorses the recommendations therein. It further asks Cabinet Members, the NHS and Chief Officers to take forward the proposed recommendations as outlined in the Report, noting that the Health and Adult Care Scrutiny Committee will review progress in six months;

(b) that a copy of the Report be sent to all Devon MP's; and

(c) that Cabinet notes the view of the Scrutiny Committee that, at this time, there is no call for a public enquiry and welcomes the further intention to monitor the impact of the STP and the move to an 'Accountable Care System'.

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

There was no question from a Member of the public.

* **133** **Minutes**

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

Devon and Exeter Rail Working Party – 19 January 2018
Devon Education Forum – 15 January 2018 (excepting minute 62)

* **134** **Delegated Action/Urgent Matters**

The Registers of Decisions taken by Members under the urgency provisions or delegated powers were available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; a summary of decisions taken since the last meeting had been published with the Agenda for this meeting. Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general

authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>

* **135** **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>)

* **136** **Exclusion of the Press and Public**

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

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of a third party 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.

* **137** **Investment in Exeter Science Park**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

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

The Cabinet considered the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity, (EES/18/3) on proposed investment in Exeter Science Park.

This report set out the case for investment in Exeter Science Park Limited (ESPL) to support the expansion of additional innovation space at the Exeter Science Park, one of the Council's strategic employment sites.

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

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

RESOLVED

(a) that a capital investment of up to £500,000 in Exeter Science Park Limited (ESPL) to facilitate an expansion of the Science Park be approved, in particular the construction of two "Grow On" buildings that will be able to accommodate small innovative companies as they begin to scale up and to increase rental yield to support ESPL's future financial sustainability;

b) That the following conditions be attached to this investment:

i) That similar contributions from other shareholders are provided with the shareholders achieving a combined capital investment of circa £1,250,000 and

ii) ESPL must produce a comprehensive business plan for approval by shareholders by Summer 2018; and

c) that an update on the development of the Science Park and the approved Business Plan be received by the end of 2018.

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 12.12 pm



QUESTIONS FROM MEMBERS OF THE COUNCIL Friday 9 February 2018

**1. QUESTION FROM COUNCILLOR HANNAFORD
Re: Service Risks - Carillion**

Following further investigations have Officers identified any further service risks from the collapse of Carillion?

REPLY BY COUNCILLOR HART

At present, we are not aware of any additional service risks associated with the collapse of Carillion. As previously set out, Carillion divested much of their Devon based activity several years ago, with limited involvement since that point in core services. We are however monitoring the situation, mindful of any wider impacts on partner organisations and provision.

**2. QUESTION FROM COUNCILLOR HANNAFORD
Re: Economic Consequences of Carillion**

Have we been able to ascertain the possible economic consequences of the estimated two hundred jobs that could be affected in Devon?

REPLY BY COUNCILLOR BARKER

Given both the complexity of their operating model across the UK, and the uncertainties surrounding many of the firm's ongoing contracts, we are currently unable to ascertain the likely impact within the County from Carillion's collapse. We anticipate that any assessment of impact will be difficult before the Administrator has concluded their ongoing role.

**3. QUESTION FROM COUNCILLOR HANNAFORD
Re: Economic Consequences in terms of which Sectors**

Can we work to identify these economic consequences in terms of which sectors, supply chains, small and medium sized enterprises?

REPLY BY COUNCILLOR BARKER

In advance of the work of the Administrator, and clarity around how Carillion's existing work programme will be delivered / dealt with, we are unable to identify the likely economic consequences on any supply chain partners, sector or individual company within Devon. We are however monitoring the situation for any unforeseen impacts.

**4. QUESTION FROM COUNCILLOR HANNAFORD
Re: Apprenticeships**

Carillion was one of the main national providers of apprenticeships, so do we know how this will affect us locally?

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REPLY BY COUNCILLOR BARKER

Whilst Carillion was a major employer of apprentices nationally, the number training within Devon itself has historically been low. Liaison with our Colleges and Training Providers following the collapse of the firm suggests that Carillion had no direct apprentices in the County in 2016/17, with the last cohort completing their training in 2015/16 (10 placed with Exeter). The Construction Industry Trade Board ('CITB'), which coordinates wider apprenticeship training across the sector, also reported they were not aware of any shared apprenticeships with Carillion at present within the County, with the nearest reported apprentice hosted in Gloucestershire.

As with other areas however, we are monitoring the situation for any downstream supply chain impact which may emerge as the Administrator takes action. In the event of any indirect effect on apprentices however, we will seek to support the CITB and wider providers to explore options as appropriate.