

*County Council
Thursday, 15th February, 2018*

NOTES FOR VISITORS

All visitors to County Hall, including visitors to the Committee Suite and the Coaver Club conference and meeting rooms are requested to report to Main Reception on arrival. If visitors have any specific requirements or needs they should contact County Hall reception on 01392 382504 beforehand. Further information about how to get here can be found at: <https://new.devon.gov.uk/help/visiting-county-hall/>. Please note that visitor car parking on campus is limited and space cannot be guaranteed. Where possible, we encourage visitors to travel to County Hall by other means.

SatNav – Postcode EX2 4QD

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Access to County Hall and Public Transport Links

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The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

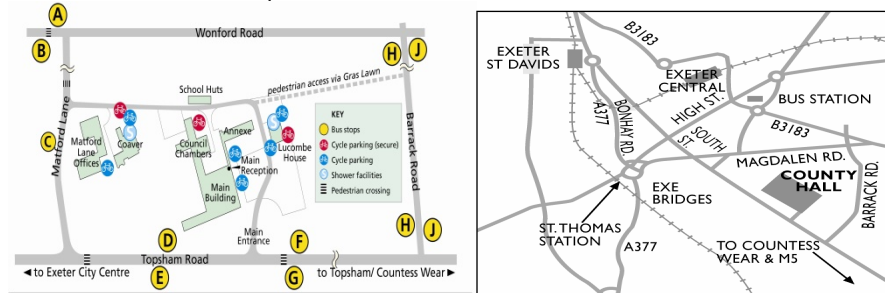
Car Sharing

Carsharing allows people to benefit from the convenience of the car, whilst alleviating the associated problems of congestion and pollution. For more information see: <https://liftshare.com/uk/community/devon>.

Car Parking and Security

There is a pay and display car park, exclusively for the use of visitors, entered via Topsham Road. Current charges are: Up to 30 minutes – free; 1 hour - £1.10; 2 hours - £2.20; 4 hours - £4.40; 8 hours - £7. Please note that County Hall reception staff are not able to provide change for the parking meters.

As indicated above, parking cannot be guaranteed and visitors should allow themselves enough time to find alternative parking if necessary. Public car parking can be found at the Cathedral Quay or Magdalen Road Car Parks (approx. 20 minutes walk). There are two disabled parking bays within the visitor car park. Additional disabled parking bays are available in the staff car park. These can be accessed via the intercom at the entrance barrier to the staff car park.



NB **A** **J** Denotes bus stops

Fire/Emergency Instructions

In the event of a fire or other emergency please note the following instructions. If you discover a fire, immediately inform the nearest member of staff and/or operate the nearest fire alarm. On hearing a fire alarm leave the building by the nearest available exit. The County Hall Stewardesses will help direct you. Do not stop to collect personal belongings and do not use the lifts. Assemble either on the cobbled car parking area adjacent to the administrative buildings or in the car park behind Bellair, as shown on the site map above. Please remain at the assembly point until you receive further instructions. Do not re-enter the building without being told to do so.

First Aid

Contact Main Reception (extension 2504) for a trained first aider.



DEVON COUNTY COUNCIL

To: Members of Devon County Council

County Hall
Exeter
EX2 4QD

7 February 2018

Your attendance is requested at the Meeting of the Devon County Council to be held at County Hall, Exeter on Thursday, 15th February, 2018 at 2.15 pm.

A handwritten signature in black ink that reads 'Phil Dorrey'.

Chief Executive

[Prayers will be offered by Ken Browse, Chair of The British Association of Parish Councils, at **2.10pm**, prior to the commencement of the meeting. All Members are welcome to attend].

A G E N D A

1 Apologies for Absence

2 Minutes (Pages 1 - 8)

To approve as a correct record and sign the minutes of the meeting held on 7 December 2017.

3 Announcements

4 Items Requiring Urgent Attention

5 Public Participation: Petitions, Questions and Representations

Petitions, Questions or Representations from Members of the public in line with the Council's Petitions and Public Participation Schemes.

6 Petitions from Members of the Council

7 Questions from Members of the Council

Answers to questions from Members of the Council pursuant to Standing Order 17.

FRAMEWORK DECISION

8 Treasury Management Strategy 2018/2019

To receive and approve the Treasury Management Strategy, as endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 31st January 2018 (Minute *49) and due to be considered by Cabinet on 9 February 2018.

9 Revenue Budget, Medium Term Financial Strategy & Capital Programme

(a) In the exercise of its Public Sector Equality Duty, as set out below, the County Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required. The overview of the impact assessments for all service areas entitled '2018/19 Budget Impact Assessment' has been circulated separately and is available to all Members of the Council for consideration under this item (alongside any specific equality impact assessments undertaken as part of the budget's preparation) at <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/>

(b) To receive and approve the Report of the County Treasurer (CT/18/11) together with the Minutes of the Cabinet held on 9th February 2018 relating to the budget and the Minutes of the Corporate Infrastructure and Regulatory Services Committee, containing all Scrutiny Budget Resolutions from 31st January 2018, attached.

The Report of the County Treasurer and Cabinet Minutes will follow.

10 Pay Policy Statement 2018/2019

To receive and approve the Councils Pay Policy Statement, as recommended by the Appointments and Remuneration Committee (15 January 2018) (Minute 36), attached.

OTHER MATTERS

11 Cabinet Member Reports

To consider reports from Cabinet Members.

12 Minutes

To receive and approve the Minutes of the under mentioned Committees

a Appointments and Remuneration Committee - 15 December 2017 and 15 January 2018 (Pages 9 - 18)

b Appeals Committee - 11 December 2017 and 8 January 2018 (Pages 19 - 22)

c Development Management Committee - 24 January 2018 (Pages 23 - 24)

d Procedures Committee - 6 February 2018 (to follow)

Will be published available [here](#) shortly.

- e Children's Scrutiny Committee - 23 January 2018 (Budget Meeting) (Pages 25 - 28)
- f Children's Scrutiny Committee - 23 January 2018 (Ordinary Meeting) (Pages 29 - 32)
- g Health and Adult Care Scrutiny Committee - 25 January 2018 (Budget Meeting) (Pages 33 - 36)
- h Health and Adult Care Scrutiny Committee - 25 January 2018 (Ordinary Meeting) (Pages 37 - 44)
- i Corporate Infrastructure and Regulatory Services Scrutiny Committee - 31 January 2018 (Budget Meeting) (Pages 45 - 50)
- j Corporate Infrastructure and Regulatory Services Scrutiny Committee - 31 January 2018 (Ordinary Meeting) (Pages 51 - 54)

NOTICES OF MOTION

13 EU Law - Animal Sentience (Minute 63 - 7 December 2017)

To receive and consider the recommendations of the Cabinet (Minute 110) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Wright and referred thereto in accordance with Standing Order 8(2), namely

'This Council is disappointed that the Government voted to omit an important clause in EU law relating to animal sentience, as part of the Withdrawal Bill.

This Council is encouraged by the Government's subsequent clarification on its position relating to sentience and its commitment to enshrining higher animal welfare standards into UK law.

However, this Council backs calls from the British Veterinary Association to commit to an appropriate timeframe to reinstate the vital obligation in EU law in Article 13, on the STATE being responsible for animal welfare, in addition to UK law, which states that only the KEEPER of the animal is responsible'.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report CSO/18/3 and other suggestions or alternatives considered at that meeting the Cabinet subsequently resolved:

a) that the Council be recommended to write to the Secretary of State (Michael Gove) stating that it is encouraged by the Government's subsequent clarification on its position relating to sentience and its commitment to enshrining higher animal welfare standards into UK law;

(b) that the Council notes the subsequent publication of the draft Animal Welfare (Sentencing and Recognition of Sentience) Bill; and

(b) that, as a predominantly rural area where farming and agriculture are of critical importance to the local economy, the Council strongly backs the calls from the British Veterinary Association and others to commit to an appropriate timeframe giving certainty to the reinstatement of the protocol in Article 13; not only recognising animal sentience but also enshrining a duty of responsibility on the state for animal welfare.

14 **Council Budgets - Vulnerable Young and Elderly Residents (Minute 66 - 7 December 2017)**

To receive and consider the recommendations of the Cabinet (Minute 112) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Biederman and referred thereto in accordance with Standing Order 8(2), namely:

Devon County Council was very disappointed to see there was no help, to this council in the autumn statement with regard to Children's Services & Social Care. Children's Services budgets are overspent here and in 75% councils across the country, with a £2 billion shortfall in council budgets. If we are to deliver safe and effective services for vulnerable children we need to be adequately funded. The situation is very similar with Social Care.

We write a cross party letter, to Devon MP's and the Minister signed by all group leaders expressing our concerns and urging Devon MP's and the Government to address this growing problem for our most vulnerable young and elderly residents.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report CSO/18/3 and other suggestions or alternatives considered at that meeting the Cabinet subsequently resolved; *that, in recognising the considerable financial pressure placed on Local Government and also various lobbying activities undertaken by the Council in recent years, and the events planned for the new year, it is also important to maintain the impetus, therefore, in support of the Notice of Motion, Council is recommended to write a cross party letter, signed by Group Leaders, to go to Devon MPs and the Minister to highlight this growing problem for vulnerable young and elderly residents.*

15 Post Brexit Arrangements (Membership of the European Single market and Customs Union) (Minute 65 - 7 December 2017)

To receive and consider the recommendations of the Cabinet (Minute 113) as an amendment to the following Notice of Motion submitted previously to the Council by Councillor Shaw and referred thereto in accordance with Standing Order 8(2), namely

This County Council respects the majority vote in the Country to support leaving the European Union, but believes that the UK must secure post-Brexit arrangements which best support the economic and social wellbeing of Devon and the country as a whole. The Council therefore urges the Government to negotiate continued membership of the European Single Market and Customs Union, both of which bring considerable benefits to Devon.

Having had regard to the aforementioned, any factual briefing/position statement on the matter set out in Report of the Head of Economy and Skills and other suggestions or alternatives considered at that meeting the Cabinet subsequently resolved:

(a) that the Council be recommended to note the opportunities and impacts from BREXIT on the Devon economy; and

(b) that the Council be assured that Cabinet will continue to assess the impacts and other implications for the Devon economy as details become more understood on the future arrangements agreed between Government and the EU Commission for trade and the labour market.

16 Accountable Care Systems

Councillor Shaw to move:

'This Council is concerned by the decision of the Devon Clinical Commissioning Groups to introduce an Accountable Care System for Devon's NHS and adult social care services from 1st April 2018, without the full agreement of this Council.

In view of the widespread public concern over Accountable Care Systems and Accountable Care Organisations, and the decision of NHS England to hold a 12-week consultation on ACOs, this Council calls on the Devon CCGs to put the introduction of the ACS on hold until local people have been fully consulted on the plans'.

17 'Sunset for the Royal Marines' and Future Resilience

Councillor Greenslade to move:

'The County Council expresses concern at the conclusions of the Defence Select Committee report "Sunset for the Royal Marines" regarding the future strength of the Royal Marines and the implications for the economy of the county and the viability of Royal Marine bases in Devon such as those in Plymouth and at RMB Chivenor.

Devon County Council resolves to play an active part in lobbying to retain Royal Marine bases in our County'.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Minutes of the Cabinet, Health & Wellbeing Board and Devon Pension Board do not form part of this agenda but can be accessed as follows

Cabinet-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=133&Year=0>

Health & Wellbeing Board-
<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=166&Year=0>

Devon Pension Board-<http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=185&Year=0>

Access to Information

Copies of any memoranda, reports or minutes, which are not circulated herewith or as separate documents, may be made available to Members upon request. A Minute that relates to a matter which has been delegated to any Committee the Minutes of which are contained herein is denoted by an asterisk in the margin. Minutes of the Council's Cabinet and of the Health & Wellbeing Board and the Devon Pension Board do not form part of this Agenda but links are provided for convenient reference.

Agenda and decisions of the Council, the Cabinet and of any Committees contained herein, together with the Health & Wellbeing Board and the Devon Pension Board referred to above, are published on the County Council's Website and can be accessed via the Modern.Gov App, available from all the usual stores.

Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Questions from Councillors

A Member of the Council may ask the Leader or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place.

Public Participation

Any member of the public resident in the administrative area of the county of Devon may submit a formal written question to the Leader upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Chief Executive by 12 noon 4 working days before the meeting takes place

Alternatively, any member of the public who lives in the area served by the County Council may make oral representations on any matter relating to the functions of the Council. Such representations will be limited to 3 minutes, within the overall time allowed of 30 minutes. If you wish to make such a representation, you should, via email or letter, submit a brief outline of the points or issues you wish to raise before 12 noon 4 working days before the meeting takes place.

For further details please contact Karen Strahan on 01392 382264 or look at our website at:

<http://new.devon.gov.uk/democracy/guide/public-participation-at-committee-meetings/>

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Emergencies

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

Mobile Phones

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

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



Induction loop system available

COUNCIL

7 December 2017

Present:-

Chair: R Radford

Vice-Chair: R Edgell

Councillors H Ackland, M Asvachin, Y Atkinson, S Aves, S Barker, J Berry, F Biederman, J Brazil, E Brennan, J Hook, J Brook, C Channon, I Chubb, C Chugg, J Clatworthy, P Colthorpe, A Connett, P Crabb, R Croad, A Davis, A Dewhirst, R Gilbert, B Greenslade, R Hannaford, J Hart, J Hawkins, L Hellyer, J Hodgson, G Hook, R Hosking, S Hughes, A Leadbetter, J Mathews, J McInnes, B Parsons, R Peart, P Prowse, S Russell, P Sanders, A Saywell, R Scott, D Sellis, M Shaw, C Slade, M Squires, J Trail, N Way, C Whitton, C Wright and J Yabsley

Apologies:-

Councillors K Ball, R Bloxham, A Eastman, G Gribble, I Hall, T Inch, S Randall-Johnson and P Twiss

49 Minutes

The Chairman of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 5 October 2017 be signed as a correct record.

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

50 Announcements

The Chair of the Council reported on the passing of former Councillor Alan Hosking who had served on the Council between 2005 and 2009, representing the former Yelverton Rural ward.

Furthermore, that an initiative to improve the health and wellbeing of people in Exeter had been recognised with a top national award. Wellbeing Exeter won a prestigious National Health Service Journal award and the Integrated Care Exeter (ICE) initiative was successful in the 'Most effective adoption and diffusion of existing best practice' category.

The Chair paid tribute to the staff of the Seaton and Sidmouth Team and also the Forensic Social Work team at Langdon hospital who had both won or been nominated for recent awards at the social care and social worker awards in London.

The Chair, on behalf of the Council, also extended congratulations to Prince Harry on his recent engagement to Meghan Markle.

Last, the Council congratulated Craig Overton on making his England debut in the second ashes test in Adelaide. Craig was top wicket taker and run scorer in the first innings.

51 Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

52 Public Participation: Petitions, Questions and Representations

The Leader was presented, by Ian Williams with a petition containing approximately 2500 signatures relating to the underfunding of Devon Schools and impacts in the classroom.

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

There was no question or oral representations by any member of the public.

[NB: A copy of the questions and answers are appended to these minutes and are also available on the Council's Website at <http://democracy.devon.gov.uk/ieListMeetings.aspx?CId=132&Year=0> and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

53 Petitions from Members of the Council

The Leader was presented by Councillor Hannaford on behalf of local residents, with a petition containing approximately 310 signatures seeking works to be undertaken on the pavements in Cowick Street, Exeter.

[NB: The relevant Head of Service would be asked to respond direct to the petitioner on the issues raised, within 15 days, letting him/her know how long it would take to undertake the requested review in line with the Council's Petition Scheme (<http://democracy.devon.gov.uk/ieListDocuments.aspx?CId=416&MId=2487&Ver=4&info=1>)

54 Questions from Members of the Council

In accordance with the Council's Procedure Rules, the Leader and relevant Cabinet Members provided written responses to 14 questions submitted by Members of the Council relating to the Newton Abbot Railway Line and reports that Network Rail were considering investing in the Heathfield/Newton Abbot line, Traffic Support Officer numbers and Traffic flow figures for the South Devon Highway, the use of Neonicotinoids on Council land, Intelligent Speed Assistance (ISA) technology and whether the Council was looking to utilise such technology, the social and economic consequences of Brexit, planting and maintenance of street trees, Future Care Home Capacity, demand and provision, Care Home Charges and budget allocations, the waiting list for CAHMS, 100 years of women's suffrage and associated events, council assets and disposal of property in Exeter and science technology and engineering investment and access to Government funding (productivity fund) .

The Leader and relevant Cabinet Members also responded orally, as appropriate, to any supplementary questions arising therefrom.

[NB: See also any responses to Questions referred to at Minute 52 above. A copy of the questions and answers are appended to the signed minutes and any supplementary questions and answers may be observed through the webcast of this meeting – see Notes below]

55 Heart of the South West: Approval to form a Joint Committee (Minute 157/10 December 2015)

The Council considered the Report of the Chief Executive (CX/17/26), together with the recommendations of the Cabinet held on 8 November 2017 (Minute 77) relating to the proposals for a Heart of the South West Joint Committee.

The Leader of the Council **MOVED** and Councillor Clatworthy **SECONDED** that the recommendations of the report and also the minutes of the Cabinet (Minute 77) relating to the Heart of the South West Joint Committee be approved.

Councillor Shaw then **MOVED** and Councillor Biederman **SECONDED**;

“that the recommendations as outlined in the Report of the Chief Executive (CX/17/26) be not approved at this time, pending further consideration of:

- a) *the geographical framework for devolved arrangements;*

- b) *the economic strategy for devolution; and*
- c) *how devolved arrangements can secure democratic legitimacy,*

to allow time for them to be fully considered.”

The Amendment in the name of Councillor Shaw was then put to the vote and declared **LOST**.

(In accordance with Standing Order 32(4) Councillors Biederman, Brazil, Connett, Dewhirst, Greenslade, Hodgson, G Hook, J Hook, Shaw, Way and Wright asked that their vote for Councillor Shaw's amendment be recorded).

The Motion in the name of Councillor Hart was put to the vote and declared **CARRIED**.

(In accordance with Standing Order 32(4) Councillors Biederman, Brazil, Connett, Dewhirst, Greenslade, Hodgson, G Hook, J Hook, Shaw, Way and Wright asked that their vote against Councillor Hart's amendment be recorded).

56 **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) Policy & Corporate

Councillor Hart commented, as requested by Councillor Hannaford, on the strategic role of the County Council in housing delivery and also, as requested by Councillor Greenslade, on the opportunities for growth the rural economy could provide.

He further responded to questions on affordable housing, housing requirements and council tax on second homes.

(b) Highways Management

Councillor Hughes commented, as requested by Councillor Hook, on bus lanes in Devon, including mileage of bus lanes across the county, enforcement agents for infringements, the numbers of fines issued and revenue collected.

He also circulated a report, responding to Councillor Dewhirst, as requested, on any measures being taken to mitigate the impact of the closure of Wolborough Street in Newton Abbot to local people and the impact on businesses in Ipplepen and Abbotskerswell.

The Cabinet Member responded to a question on unpaid parking fines and the actions of the Council with persistent offenders.

(c) Community, Public Health, Transportation and Environment

Councillor Croad circulated a report, as requested by Councillor Hannaford, on the work being done by the Council, with others, to provide help and support for people experiencing domestic violence and abuse. The update also included the new Splitz model as well as an analysis on some of the key challenges, such as access to legal aid, access to support services, closures of refuges and budget cuts.

He also responded to questions on the impact of the cap on universal credit, whether the numbers of spaces in refuge accommodation was sufficient for current requirements, budget provision for Devon Rape Crisis services, the provision of courses in Teignbridge by Action

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for Children and the partnership work of Operation Encompass supporting children and young people exposed to domestic abuse.

(d) Infrastructure Development and Waste

Councillor Davis commented, as requested by Councillor Aves and Councillor Greenslade, on the recent announcement that the Government was looking at rail travel in the South West and also the potential changes to rail franchises and any possible impact for services in Devon, including details of the consultation.

The Cabinet Member also responded to questions on the progress of the proposed new station at Marsh Barton, the importance of good rail links to London, air quality issues and opportunities for franchise investment, capacity on the Barnstaple to Exeter line and proposals for the Okehampton line.

(e) Economy and Skills

Councillor Barker commented / reported, as requested by Councillor Atkinson, on the region's access to superfast broad band, the performance of BT under the contract, any enforcement issues for poor performance, provision of sufficient cabinets, the numbers of properties failing to meet the superfast broadband speeds, new investment and also the provision of full fibre connectivity in the current contract.

He also reported, as requested by Councillor Dewhirst, on the Chancellor's £3 billion expenditure on Brexit and preparations by the Economy, Enterprise and Skills for the event and then responded to questions on potential export issues resulting from Brexit.

57 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the Minutes of the under-mentioned meetings of Committees be approved ...

Development Management Committee	-	25 October 2017
Appeals Committee	-	6 November 2017
Public Rights of Way Committee	-	9 November 2017
Standards Committee	-	13 November 2017
Investment & Pension Fund Committee	-	17 November 2017
Audit Committee	-	22 November 2017
Children's Scrutiny Committee	-	16 November 2017
Health & Adult Care Scrutiny Committee	-	21 November 2017
Corporate Infrastructure & Regulatory	-	28 November 2017
Services Scrutiny Committee	-	

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

58 Plastic Free Coastlines (Minute 44 - 5th October 2017)

Pursuant to County Council Minute 44 of 5 October 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Biederman that:

This Devon County Council supports Plastic Free Coastlines, committing to plastic free alternatives and supporting plastic free initiatives within Devon.

The Council commits to lead by example to remove single-use plastic items from its premises. Also it must encourage plastic free initiatives, promoting the campaign and supporting its events.

A representative of this Council will become a member of the Plastic Free Coastlines Steering group’.

and having had regard to the advice of the Cabinet set out in Minute 81(a) of 8 November 2017:

Councillor Hart **MOVED** and Councillor Clatworthy **SECONDED** that the Cabinet’s advice (the amendment) be accepted and the spirit of the Notice of Motion, which aims to provide leadership in avoiding single-use plastic items in order to achieve a ‘Plastic Free Coastline’ be supported and the Council commit to addressing this issue further through the Authority’s environmental performance agenda, including a review of single-use plastic items and how suitable alternatives to these might continue to be adopted.

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

59 National Funding Formula for Schools (Minute 46 - 5th October 2017)

Pursuant to County Council Minute 46 of 5 October 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Greenslade that:

County Council expresses its considerable disappointment at the Government’s recently announced proposals which notionally leave Devon School children with a funding gap of £268 below the national average. Additionally considerable concern is also registered that Devon has not done well with the high needs block allocation compared to others which will increase pressure on budgets for SEN.

These concerns be communicated on an all party basis to the Government and all Devon MP’s’.

and having had regard to the advice of the Cabinet set out in Minute 81b of 8 November 2017:

Councillor Hart **MOVED** and Councillor Clatworthy **SECONDED** that the Cabinet’s advice (the amendment) be accepted and that the sentiment of the Notice of Motion be welcomed and Council share the concerns expressed regarding fairer funding for schools. Therefore, Council will continue the campaign for fair and adequate funding for all Devon children (including school funding, high needs funding for those with SEN and additional needs and early years pupils) and support the following actions:

- i) that work continues with F40 and the offer to take a more substantial role within the F40;
- ii) that Council notes the briefing that has been sent out to MPs outlining funding concerns for Devon Schools, early years and high needs funding and also welcomes the request for their support; and
- iii) that work continues with both schools and SEN groups.

And, in light of the above and the action already undertaken, no additional action be taken.

The amendment in the name of Councillor Hart was then put to the vote and declared **CARRIED**.

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

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That the Cabinet recommendation be amended by deleting the full stop at the word 'taken' and inserting the words '*other than to confirm that higher needs funding pressures will not be resolved by reducing school budgets in 2018/2019*'.

The amendment in the name of Councillor Greenslade was then put to the vote and declared **LOST**.

Councillor Biederman then **MOVED** and Councillor Dewhirst **SECONDED**;

That the Cabinet recommendation be amended by the addition of an extra sentence to read '*that a cross party letter is sent to Westminster to meet Devon MP's and the Minister for Education to make the case for fairer funding for Devon's children*'.

The amendment in the name of Councillor Biederman was then put to the vote and declared **LOST**.

The substantive motion in the name of Councillor Hart was then put to the vote and declared **CARRIED**.

60 Ethical Care Council (Minute 47 - 5 October 2017)

Pursuant to County Council Minute 47 of 5 October 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that:

'This Council commits to becoming an Ethical Care Council by commissioning homecare services which adhere to an Ethical Care Charter. This will establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which a) do not routinely short-change clients and b) ensure the recruitment and retention of a more stable workforce through more sustainable pay (based on a minimum –genuine- living wage), conditions and training levels. On that basis we will adopt and sign UNISON's Ethical Care Charter.'

and having had regard to the advice of the Cabinet set out in Minute 81(c) of 8 November 2017:

Councillor Hart **MOVED** and Councillor Clatworthy **SECONDED** that the Cabinet's advice (the amendment) be accepted and that the Council notes the requirements of the Charter and recommends officers work with its contracted providers towards its adoption having due regard to affordability, market sufficiency and quality of commissioned care.

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.

61 20 MPH Speed Limits (Minute 48 - 5 October 2017)

Pursuant to County Council Minute 48 of 5 October 2017 relating to the Notice of Motion set out below as previously submitted and formally moved and seconded by Councillor Hodgson that;

'With rising concerns about road safety for pedestrian and cyclists and in response to the growing calls for 20 mph speed limits in villages, this Council will welcome and consider proposals from Town and Parish Councils for 20 mph speed limits in residential areas, town and village centres and associated approach roads.'

and having had regard to the advice of the Cabinet set out in Minute 81(d) of 8 November 2017:

Councillor Hart **MOVED** and Councillor Clatworthy **SECONDED** that the Cabinet's advice be accepted and that Notice of Motion be not progressed at this stage as a blanket call for Town and Parish Councils to propose 20mph speed limits would be premature at this stage given there was a commitment to reviewing the current policy.

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.

62 Southwestern Railways Consultation - New Timetables

In line with Standing Order 6(2), the Notice of Motion on the South Western Railways Consultation, previously submitted by Councillor Shaw, was withdrawn.

63 EU Law - Animal Sentience

Councillor Wright **MOVED** and Councillor Shaw **SECONDED**

This Council is disappointed that the Government voted to omit an important clause in EU law relating to animal sentience, as part of the Withdrawal Bill.

This Council is encouraged by the Government's subsequent clarification on its position relating to sentience and its commitment to enshrining higher animal welfare standards into UK law.

However, this Council backs calls from the British Veterinary Association to commit to an appropriate timeframe to reinstate the vital obligation in EU law in Article 13, on the STATE being responsible for animal welfare, in addition to UK law, which states that only the KEEPER of the animal is responsible.

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

64 Pension Funds and Fossil Fuel Companies

(Councillor Mathews declared a personal interest in this matter by virtue of being in receipt of a Devon County Council Widows Pension)

Councillor Hodgson **MOVED** and Councillor Shaw **SECONDED**;

'In line with its recently affirmed commitment to mitigating climate change, this Council will divest its pension funds away from fossil fuel companies and seek opportunities to invest in companies that support renewable energy. This is moving forward in line with other Local Authorities such as Southwark taking this important step'.

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

65 Post-Brexit Arrangements - Membership of the European Single Market and Customs Union

Councillor Shaw **MOVED** and Councillor Wright **SECONDED** that in accordance with Standing Order 6(6), the following Notice of Motion be considered at this meeting;

This County Council respects the majority vote in the Country to support leaving the European Union, but believes that the UK must secure post-Brexit arrangements which best support the economic and social wellbeing of Devon and the country as a whole. The Council therefore urges the Government to negotiate continued

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membership of the European Single Market and Customs Union, both of which bring considerable benefits to Devon.

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

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

66 Council Budgets - Vulnerable Young and Elderly Residents

Councillor Biederman **MOVED** and Councillor Shaw **SECONDED** that in accordance with Standing Order 6(6), the following Notice of Motion be considered at this meeting;

Devon County Council was very disappointed to see there was no help, to this council in the autumn statement with regard to Children's Services & Social Care. Children's Services budgets are overspent here and in 75% councils across the country, with a £2 billion shortfall in council budgets. If we are to deliver safe and effective services for vulnerable children we need to be adequately funded. The situation is very similar with Social Care.

We write a cross party letter, to Devon MP's and the Minister signed by all group leaders expressing our concerns and urging Devon MP's and the Government to address this growing problem for our most vulnerable young and elderly residents.

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

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

[NOTES:

Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by Mr Sprague.

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 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 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>]

The Meeting started at 2.15 pm and finished at 5.15 pm

APPOINTMENTS AND REMUNERATION COMMITTEE

15 December 2017

Present:-

Councillors J Hart (Chair), A Connett, S Hughes and A Leadbetter

* 31

Minutes

RESOLVED that the Minutes of the meeting held on 27 September 2017 be approved as a correct record.

* 32

Items Requiring Urgent Attention

There was no item requiring urgent attention.

* 33

Remuneration of the Senior Coroner for Exeter and Greater Devon

The Committee considered the report of the County Solicitor, on the proposed remuneration of the Senior Coroner for Exeter and Greater Devon County Council.

The report outlined that the existing Senior Coroner for Exeter and Greater Devon would be retiring at the end of March 2018 and that an appointment process was underway to replace them. The appointment of Senior Coroners was set out in the Coroners & Justice Act 2009.

The Committee noted that the salary had to be commensurate with national guidelines and set at relevant point for the population of Devon, as set out in the Local Government Association's Coroner's Circular number 51; www.local.gov.uk/sites/default/files/documents/coroners-circular-no-51-p-a51.pdf).

The Committee was asked to endorse the remuneration package for the new post holder.

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

RESOLVED that the remuneration package for the Senior Coroner for Exeter and Greater Devon, as outlined in the report, be approved.

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

The Meeting started at 10.00 am and finished at 10.04 am

APPOINTMENTS AND REMUNERATION COMMITTEE

15 January 2018

Present:-

Councillors J Hart (Chair), J Clatworthy, R Hannaford and B Parsons

Apologies:-

Councillors A Connett

* 34

Minutes

RESOLVED that the minutes of the meeting held on 15 December 2017 be approved as a correct record.

* 35

Items Requiring Urgent Attention

There was no item requiring urgent attention.

36

Pay Policy Statement 2018/2019

The Committee considered the Joint report of the County Solicitor and the Head of Organisational Development (CS/18/2) outlining the proposed and revised pay Policy Statement for 2018/2019, and consequential amendments to the Chief Officer Employment Procedure Rules and Disciplinary Policy, for ratification by the County Council.

The Committee were reminded that the Localism Act 2011 required Councils to prepare and approve, annually, a Pay Policy Statement setting out its policy for each financial year relating to remuneration of Chief Officers and other employees and the relationship between the pay of Chief Officers and the lowest paid employee.

The Committee further noted that the Policy had been amended to reflect current practice in relation to market supplements.

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

RESOLVED

(a) that the revised Pay Policy Statement for 2018/19, appended to these Minutes, be endorsed and commended to the County Council; and

(b) that the leadership roles and salary rates, which are unchanged except for the nationally agreed 2016/18 Pay Award of 1%, be noted.

* 37

Interim Head of Children's Social Care (Deputy Chief Officer)

The Committee received the report of the Head of Organisational Development outlining the action of the Chief Executive in making arrangements under delegated powers for the placement of an Interim Head of Children's Social Care (Deputy Chief Officer), in accordance with the Council's Pay Policy Statement, Chief Officer Employment Procedure Rules and relevant employment, procurement, legal and financial regulations.

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

RESOLVED that the Committee note the appointment of Mr Darryl Freeman to the post of Interim Head of Children's Social Care (Deputy Chief Officer) at Grade L3.

* **38** **Interim Head of Adult Care Operations and Health**

The Committee received a verbal update on the action of the Chief Executive in making arrangements under delegated powers for the placement of an interim Head of Adult Care Operations and Health, from October 2017, in accordance with the Council's Pay Policy Statement, Chief Officer Employment Procedure Rules and relevant employment, procurement, legal and financial regulations.

The appointment was expected to continue until 31 March 2018.

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

RESOLVED that the Committee note the appointment of Vivienne Broadhurst to the post of Interim Head of Adult Care Operations and Health at Grade L3.

* **39** **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for part of the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information relating to an individual or likely to reveal the identity of an individual, 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.

40 **Report of the Appointments Panel for the Senior Coroner**

The Committee considered the Report of the Appointments Panel for the Senior Coroner, which outlined the previous approval of the Committee in relation to the salary of the new Senior Coroner and also the guidelines in relation to the setting and appointment of the position.

The Committee noted that the Council was responsible for the appointment of the new Coroner, but once a candidate had been proposed for appointment the formal written consent of the Chief Coroner and separately the Lord Chancellor had to be obtained.

The Appointments Panel met on the 4th and 5th January 2018.

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

RESOLVED that the Committee approve the recommendation of the Panel for the appointment of Philip Spinney and note that his name had been put forward to the Chief Coroner for his consent and then the formal approval of the Lord Chancellor.

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

The Meeting started at 2.15 pm and finished at 2.39 pm

Pay Policy Statement (April 2018 - March 2019)

1. Introduction

- 1.1. This document sets out Devon County Council's pay policy statement which will be reviewed annually.
- 1.2. The statement sets out the Council's policies relating to the remuneration of chief officers/heads of service, senior officers and officers and the relationship between the remuneration of the highest and lowest paid. Remuneration for the purpose of this statement includes basic salary, any other allowances and any payments made upon the cessation of employment.
- 1.3. The key principles underpinning this pay policy statement are:
 - 1.3.1. **Affordability** – ensuring remuneration policies represent value-for-money for the taxpayer.
 - 1.3.2. **Fairness** – ensuring remuneration policies are fair to all employees, ranging from the most senior post to the most junior post.
 - 1.3.3. **Meeting legislative requirements** – ensuring remuneration policies comply with all legal obligations, such as the Equal Pay Act and Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 regarding gender pay gap reporting.
 - 1.3.4. **Market Awareness** – ensuring due regard is taken of the market, both nationally and locally in the South West, and that this policy is in line with councils of a similar size and/or in a similar labour market.

2. Officers (including Lowest Paid Employees)

- 2.1. Officers are defined as those on [grades A-T](#).
- 2.2. Lowest Paid Employees at the County Council are defined as employees paid on Spinal Column Point 6 of the National Joint Council for Local Government Services (NJC) Pay Scale. This definition has been adopted as it is the lowest level of remuneration attached to a post in the Council.
- 2.3. Officers are employed under NJC terms and conditions.
- 2.4. The adoption of the NJC Pay Scale was jointly agreed by the County Council and NJC recognised Trade Unions as part of Single Status implementation.
- 2.5. The County Council uses the Greater London Provincial Council (GLPC) job evaluation scheme to determine an employee's position on the NJC pay scale (and therefore their pay level).
- 2.6. Officers are eligible for annual incremental increases up the NJC pay scale until they reach the top of their grade.
- 2.7. Any annual pay awards are determined by national NJC agreement.
- 2.8. Officer appointment, remuneration and terms in the event of the cessation of employment are in line with paragraph 4 of the Chief Officer Employment Procedure Rules, Council employment policy and statutory regulations and guidance.
- 2.9. Certain staff groups, defined as 'officers' within this Pay Policy Statement, are employed on separate terms and conditions which reflect relevant national agreements. These include teachers and some staff employed within social care or Public Health who are on NHS/health terms and conditions.

3. Senior Officers

- 3.1. Senior Officers are defined as those on grades L9-L5 for non Head of Service posts.
- 3.2. Senior officers are employed under Joint Negotiating Committee for Chief Officer (JNC) terms and conditions.
- 3.3. Senior Officers are remunerated on a local pay scale.
- 3.4. The Hay job evaluation scheme is used to determine an employee's position on the local pay scale (and therefore their pay level).

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- 3.5. The County Council operates a tiered pay scale for Senior Officers. Each tier has a spot salary and there is no incremental progression or salary increase, other than any annual pay awards which are determined by national JNC agreement.

4. Chief Officers and Heads of Service

- 4.1. Chief Officers and Heads of Service are defined as follows:

- 4.1.1. **Chief Officers** - Chief Executive, the Chief Officers for Children's Services, for Adult Care & Health, for Communities, Public Health, Environment & Prosperity (Director of Public Health, see paragraph 7) and for Highways, Infrastructure, Development & Waste; County Treasurer (Chief Finance Officer) and County Solicitor (Monitoring Officer) on Devon County Council Grades L0-L3 and the Director of Public Health-(see paragraph 7).

- 4.1.2. **Heads of Service** – either holders of posts defined locally who comprise the Council's Leadership Team appointed by the Appointments and Remuneration Committee and the Local Government and Housing Act 1989 or who fall within the category of non-statutory officer (as set out in the Local Government and Housing Act 1989), on Devon County Council Grades L2-L4.

- 4.2. All Chief Officers and Heads of Service are employed under Joint Negotiating Committee for Chief Executive or Chief Officer (JNC) terms and conditions (except for the Chief Officer for Communities, Public Health, Environment and Prosperity (Director of Public Health – see paragraph 7)).

- 4.3. The County Council operates a [tiered pay scale](#) for Chief Officer and Heads of Service posts (except the Chief Officer for Communities, Public Health, Environment and Prosperity Director of Public Health – see paragraph 7)). Each tier has a fixed, spot salary and there is no incremental progression. The Hay job evaluation scheme is used to determine an employee's position on the scale (and therefore their pay level).

- 4.4. The Appointments and Remuneration Committee will consider and recommend the appointment, remuneration and terms in the event of the cessation of employment of any substantive posts of Chief Officers and Heads of Service, in line with its Terms of Reference, the Pay Policy Statement, Chief Officer Employment Procedure Rules, the Council's employment policy and statutory regulations and guidance.

- 4.5. The Appointments and Remuneration Committee would not normally recommend the re-employment of individuals to Chief Officer positions who have recently left the Council (for any reason) in any capacity (either as an employee, consultant or contractor). If this does occur, it will be subject to the provisions of the Modification Order.

- 4.6. Salaries are fixed for the duration of this policy and reviewed annually by the Appointments and Remuneration Committee. Any variation from the fixed salary during the period of this policy (either for an existing Chief Officer/Head of Service or for the appointment of a new Chief Officer/Head of Service) requires approval from the County Council, except in the case of any annual pay awards which are determined by national JNC agreement.

- 4.7. The County Solicitor is the County Returning Officer and Returning Officer fees paid are in line with the guidance stipulated from the Ministry of Justice for the relevant elections.

- 4.8. The County Council has adopted the Code of Recommended Practice for Local Authorities on Data Transparency, in respect of its approach to publication of and access to information relating to the remuneration of Chief Officers/Heads of Service. Pay levels for all Chief Officers/Heads of Service posts are published on the [County Council's website](#) and/or in the [Annual Statement of Accounts](#).

5. Terms and Conditions for all employees

- 5.1. The County Council does not operate a performance-related pay scheme for any employee.
- 5.2. The County Council does not pay bonuses to any employee.
- 5.3. **The County Council may pay a market supplement in circumstances where it is not possible to recruit or retain particular staff or categories of staff, subject to the principles set out in the Council's Market Supplement Policy. The market supplement is a temporary addition to the basic pay of the role and is reviewed annually. Market supplements paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).**
- 5.4. Travel and subsistence expenses incurred on County Council business are reimbursed to employees. Reimbursement of expenses is governed by the principle that employees should not be financially advantaged or disadvantaged in carrying out their duties and all employees are subject to the same policy. Expenses and any benefits-in-kind for the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.5. The County Council does not pay fees on behalf of any employees, though this is subject to change in exceptional circumstances where there is an appropriate business case. Any fees paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.6. Allowances are paid in line with NJC terms and conditions (for Officers) or JNC terms and conditions (for Senior Officers and Chief Officers/Heads of Service), or by local agreement where appropriate. Any allowances paid to the highest paid employees will be published in the [Annual Statement of Accounts](#).
- 5.7. All employees are subject to the same terms and conditions in respect of termination of employment. The only exception to this is Chief Officers who are subject to a modified disciplinary procedure which is outlined in paragraph 9 of the Chief Officer Employment Procedure Rules.
- 5.8. All non-teaching employees are eligible to join the Local Government Pension Scheme (LGPS). The County Council does not augment pensionable service. The Council's employer severance and pension discretions, allowed under the LGPS regulations, apply to all employees.
- 5.9. The Council will apply the Government's various legislative proposals related to public sector exit payments, when these arrangements take effect.
- 5.10. During the year the Council will continue to explore and consult upon, with the aim of agreeing, changes to employee terms and conditions, to ensure that they are fit for purpose for a changing council.

6. Relationship between Chief Officers and employees who are not Chief Officers

- 6.1. Senior Officers and Chief Officers/Heads of Service receive no special enhancements to benefits or terms and conditions.
- 6.2. The Hutton Review recommends a maximum ratio of the highest remunerated post compared with the lowest remunerated post of 20:1. The County Council has adopted this recommendation. It is the Council's policy that this ratio will not exceed 20:1 and it will be reviewed annually by the Appointments and Remuneration Committee.
- 6.3. The current ratio of the highest paid post to the lowest paid post at the County Council is **10:1**¹, based on the lowest paid post being at spinal column point 6.
- 6.4. The ratio of the median average pay level to the highest paid post at the County Council is **8:1**²
- 6.5. The ratio of the mean average pay for Chief Officers/Heads of Service to non Chief Officers/Heads of Service is **5:1**³.

¹ The 2017/18 reported Pay Policy Statement ratio was 10:1.

² 2017/18 Pay Policy Statement ratio was 9:1.

³ 2017/18 Pay Policy Statement ratio was 5:1.

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7. Director of Public Health

- 7.1. Devon County Council assumed public health responsibilities (in line with the Health and Social Care Act 2012) from April 2013 and employs a Director of Public Health, who is defined as a Chief Officer, as described at paragraph 4.1.
- 7.2. The Director of Public Health and a number of other Devon Public Health employees transferred from the NHS to Devon County Council in accordance with the principles of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) with effect from 1st April 2013. In practice this means that the existing terms and conditions of employment of transferring employees are protected at the point of transfer and they currently continue to be paid on NHS pay rates and not NJC or JNC terms.

APPEALS COMMITTEE

11 December 2017

Present:-

Councillors J Hawkins (Chair), H Ackland, G Hook, C Slade and P Twiss.

* 82

Minutes

RESOLVED that the minutes of the meeting held on 6 November 2017 be signed as a correct record.

* 83

Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs 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.

* 84

Budget Monitoring

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Head of Planning, Transportation and Environment on the financial impact of the Committee's decisions for the current financial year 2017/18.

* 85

Deferred Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee noted the following appeal had been determined under urgency procedures following Members' route walk arising from the last meeting:

Appeal Refused: ST 94 Ashburton – S Dartmoor CC (Route available).

* 86

School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Head of Education & Learning on appeals and written and verbal submissions from appellants who attended as follows:-

ST 95	Ifracombe – Braunton Southmead Primary	-
ST 96	Barnstaple – Fremington Primary	-)
ST 96	Barnstaple – Fremington Primary	-)
ST 98	Aveton Gifford – Plymouth School of Creative Arts	Appellants and Local Councillor

Agenda Item 12b

APPEALS COMMITTEE
11/12/17

RESOLVED:-

(a) that the following appeal(s) be allowed:-

ST 95 Ilfracombe – Braunton Southmead Primary

(b) that the following appeal(s) be refused:-

ST 96 Barnstaple – Fremington Primary)

ST 96 Barnstaple – Fremington Primary)

ST 98 Aveton Gifford – Plymouth School of Creative Arts.

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

The Meeting started at 9.45 am and finished at 11.40 am

APPEALS COMMITTEE

8 January 2018

Present:-

Councillors H Ackland, J Hawkins (Chair), G Hook, C Slade and P Twiss

* 87

Minutes

RESOLVED that the minutes of the meeting held on 11 December 2017 be signed as a correct record.

* 88

Exclusion of the Press and Public

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of the Act, namely information which is likely to reveal the identity of an individual relating to their financial affairs 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.

* 89

Budget Monitoring

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee received the Report of the Head of Planning, Transportation and Environment on the financial impact of the Committee's decisions for the current financial year 2017/18.

* 90

School Transport Appeals

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded)

The Committee considered reports from the Head of Planning, Transportation and Environment on appeals and written and verbal submissions from appellants who attended as follows:-

ST99 Craddock, Cullompton to Uffculme School Appellant

ST100 Totnes to Paignton Academy -

RESOLVED:-

(a) that the following appeal(s) be refused:-

ST100 Totnes to Paignton Academy

(b) that the following appeal(s) be deferred for members' route inspection:-

ST99 Craddock, Cullompton to Uffculme School.

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

The Meeting started at 9.45 am and finished at 11.25 am

DEVELOPMENT MANAGEMENT COMMITTEE

24 January 2018

Present:-

County Councillors

Councillors J Brook (Chair), H Ackland, R Bloxham, J Hook, I Hall, L Hellyer, J Hodgson, R Hosking and T Inch

Members attending in accordance with Standing Order 25:-

Councillor A Davis

Apologies:-

Councillors Y Atkinson, A Connett, G Gribble, P Sanders and J Yabsley

* 38

Minutes

RESOLVED that the Minutes of the meeting held on 25 October 2017 be signed as a correct record.

* 39

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 40

County Matter: Minerals: Teignbridge District: Application under the Environment Act 1995: Review of Mineral Planning Conditions at Stoneycombe Quarry, Newton Abbot, TQ12 5LL

The Committee considered the Report of the Chief Planner (PTE/18/3) on an application by Aggregate Industries for new conditions to be attached to the existing planning permissions at Stoneycombe Quarry, pursuant to the requirements of Section 14 of the Environment Act 1995 (Periodic Review of Mining Sites).

The Chief Planner reported that the applicant had requested deferment pending further consideration of proposed conditions relating to noise levels.

it was **MOVED** by Councillor Brook, **SECONDED** by Councillor Inch and

RESOLVED that consideration of the application be deferred.

* 41

County Council Development: North Devon District: Construction of a trail, Buttercombe Barton to Spreacombe Bridge, West Down, Ilfracombe

(Mr J Millichope attended under the Council's Public Participation Scheme and spoke to this item in support and on behalf of the applicant).

(Councillor A Davis attended in accordance with Standing Order 25(2) and spoke to this item in support of the application).

The Committee considered the Report of the Chief Planner (PTE/18/4) on an application for the construction of an off-road trail between Buttercombe Barton and Spreacombe Bridge, located between Ilfracombe and Braunton.

Agenda Item 12c

DEVELOPMENT MANAGEMENT COMMITTEE
24/01/18

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting. He reported a correction, in Planning Condition 2 to the approved drawings and documents from 'EATS(N)551/61 revision 2' to 'EATS(N)551/61 revision 3'.

The matter having been debated and having regard to the main material planning policies and requirements,

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Slade and

RESOLVED that planning permission be granted subject to the conditions set out in Appendix I of Report PTE/18/4 with the revision as referred to above with any subsequent changes to the conditions being agreed in consultation with the Chair and Local County Councillor.

* 42 **Minerals and Waste Development Framework: Supplementary Planning Document: Mineral Safeguarding**

The Committee considered the Report of the Chief Planner (PTE/18/5) on the responses to the consultation on the draft Supplementary Planning Document (SPD) prepared to aid the implementation of the mineral safeguarding policy within the Devon Minerals Plan, and the proposed adoption of the SPD as amended in Appendix I to the Report to take account of comments received.

Adoption and implementation of the SPD would ensure Devon was able to adequately safeguard its important mineral resources.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Hall and

RESOLVED that, having had regard to the responses received to the Consultation held by the County Council on the draft document, the adoption of the Mineral Safeguarding Supplementary Planning Document, incorporating the amendments proposed in Appendix I, be approved.

* 43 **Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule**

The Committee received the Report of the Chief Planner PTE/18/6 of action taken under delegated powers.

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

The Meeting started at 2.15 pm and finished at 2.32 pm

CHILDREN'S SCRUTINY COMMITTEE

23 January 2018

Present:-

Councillors R Hannaford (Chair), D Sellis (Vice-Chair), S Aves, F Biederman, J Brazil, E Brennan, C Channon, I Chubb, J Hawkins, L Hellyer, R Hosking, T Inch, J Mathews, A Saywell and M Squires

Apologies:-

Councillor G Gribble and C Mabin

Members attending in accordance with Standing Order 25

Councillor J McInnes

* 32

Minutes

RESOLVED that the minutes of the Children's Scrutiny Committee meeting held on 16 November 2017 be signed as a correct record.

* 33

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 34

Public Participation

There were no oral representations received at the meeting from a member of the public.

* 35

Budget 2018/19

Revenue Budget 2018/19 and Capital Programme for 2018/19 to 2022/23.

The Committee noted that the proposed budget for the 2018/19 financial year would be scrutinised by individual Scrutiny Committees, with an overview of those issues arising being further debated by the Corporate Infrastructure and Regulatory Services Committee as well as draft budget proposals within the Committees own remit, providing an opportunity for Members to comment on proposals for the Council's Budget in its entirety and also the Chairs of both the Children's Scrutiny Committee and Health and Adult Care Scrutiny Committee attending and presenting, as required.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the joint report of the County Treasurer and the Chief Officer for Children's Services (CT/18/03) on the provisional financial settlement made by Government within the current and anticipated public sector funding regime and the spending targets set by the Cabinet for each service area which included inflation, commitment and service prioritisation reductions.

The Cabinet, at its meeting of 13th December 2017, had set Revenue Budget targets for 2018/19 which totalled £477.391 millions. This included funding for budget pressures of

Agenda Item 12e

CHILDREN'S SCRUTINY COMMITTEE
23/01/18

£28.593 millions that mainly related to additional expenditure to allow for service growth to cater for demographic changes such as increased children and adult service users and unavoidable cost pressures. Savings and income initiatives of £20.842 millions were required to set a balanced budget. The target for Adult Care and Health also included £10.148 millions in relation to the One-off Improved Better Care Fund grant announced by the Chancellor in March 2017.

The announcement by Government on the Local Government Finance Settlement for 2018/19 was made on the 19th December 2017. The 2016/17 local government finance settlement previously announced Core Spending Power figures for the four year period of 2016/17 to 2019/20 and the Provisional Settlement for 2018/19 confirmed the Core Funding figures were at the expected level of £115.2 millions. There were however, other changes in relation to the proposal to reduce the Rural Services Delivery Grant in 2018/19 from £65m to £50m which was now not going ahead, with the grant remaining at the current level. Government had also decided not to go ahead with proposed changes to the New Homes Bonus Scheme and there was a change to the annual Business Rates inflationary increase from Retail Price Index (RPI) to Consumer Price Index (CPI), effective from 2018/19, meaning a reduction to Business Rates received by Local Authorities as part of Core Funding.

The Committee were reminded that its consideration of the draft Children's Services budget was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet on 9 February 2018 formulating a budget for consideration by the County Council on 15 February 2018.

The Chief Officer for Children's Services and Head of Services for Education and Learning and Children's Social Care, commented on the likely implications of the 2018/19 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Report also contained the detailed budget proposals for Children's Services, prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services. 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 Report now before the Committee also referred to the Budget 2018/19 Impact Assessment, circulated prior to the meeting, giving an overview of the impact assessments for all service areas (available at: <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/>), for the attention of Members at this meeting in order that they may be aware of the equality impact assessments undertaken as part of the budget's preparation and that any risk assessments and projections were adequate and that the evidence supported the assumptions made in the formulation of the budget. Acknowledging also that 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. Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

- Children's Social Care and the sufficiency of appropriate placements for children in care both locally and nationally, particularly meeting the needs of children with complex needs;
- increased pressures on the number of children in residential placements and difficulties recruiting adequate numbers of in-house foster carers; resulting in an

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additional £7.7millions in the 2018/19 budget for inflation and demand pressure, of which £6millions was for looked after children;

- further consideration needed to be given to training needs of social workers in order to upskill and provide development opportunities;
- planned overall savings of £2.3 millions, to include £1.5 millions relating to improved placement capacity and interventions that avoided the need for children to come into care and £800,000 savings from planned efficiencies across the Service;
- an increase in the Dedicated Schools Grant (DSG) of £17.4 millions within the schools and early year settings, due mainly to the introduction of the National Funding Formula (NFF) and an increase in pupil numbers;
- significant cost pressures within the DSG relating to the High Needs Service, due to an increase in demand and a rise in the number of students remaining in post 16 education;
- increased budget pressures in School Transport with an increase for 2018/19 of £1.532 millions, due largely to increases in personalised transport because of a rise in the national living wage and contract inflation; the average cost per unit and risen by £700 to £6,600 per pupil; and,
- increase in the national living wage and provision only for a 1% pay award (the current offer being 2%).

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis, and

RESOLVED

- (a) that social work training, professional development and opportunities for career progression are reviewed, investigating current schemes already in place at neighbouring authorities; and,
- (b) that the provisional financial settlement and its impact on spending targets and on the proposed Children's Services budget for 2018/19, and the issues and/or observations set out above, be drawn to the attention of the Cabinet at its meeting on 9 February 2018, namely:
 - (i) that scrutiny welcomes the endeavours undertaken by this Council to achieve fairer funding for children in schools across Devon but ask Cabinet to continue to pursue this matter until funding for education is equitable with other similar local authorities; and,
 - (ii) that the Cabinet continue to monitor the sufficiency and financing of appropriate placements for children in care both locally and nationally, particularly those meeting the needs of children with complex needs.

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

The Meeting started at 10.30 am and finished at 12.30 pm

CHILDREN'S SCRUTINY COMMITTEE

23 January 2018

Present:-

Councillors R Hannaford (Chair), D Sellis (Vice-Chair), S Aves, F Biederman, E Brennan, C Channon, I Chubb, J Hawkins, L Hellyer, R Hosking, T Inch, J Mathews, A Saywell and M Squires

Apologies:-

Councillors J Brazil, G Gribble and C Mabin

Members attending in accordance with Standing Order 25

Councillor J McInnes

* 36 Items Requiring Urgent Attention

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

The Chair had decided that the Committee should consider this item as a matter of urgency in order that Members may be updated on the current consultation around the fees and allowances in relation to internal foster carers.

The Chair furthermore exercised his discretion, and in the spirit of the Council's Public Participation Scheme, the Committee received and acknowledged oral representations made by Mr D Leyland, Mrs M Peters and Mrs L Strange on this matter.

The Chair responded, thanking the speakers for their attendance and presentations which would be considered by the Committee during its subsequent deliberations.

The Chief Officer for Children's Services advised Members that the current payment scheme in relation to internal foster carers was complex and had not been updated in the past 15 years; consultation was ongoing to update the current scheme and ensure equity and fairness to all foster carers. There would be an overall investment into the internal fostering Service of £1.3millions over the next two years, to achieve an additional 27 foster placements. There would also be a £1.5million investment in the Independent Fostering sector to fund an additional 52 fostering places; allowing for an overall £2.8million investment in fostering services to create 79 fostering placements over the next two years.

The Chief Officer explained that there was currently an inequity within the fee structure, as a child with a certain set of needs could be placed in any one of three families who all currently got paid a different fee. The Consultation with foster carers would look at how to resolve any inequities and ensure the system was fair, whilst minimising the impact on placement stability. No savings had been planned from the restructuring of this services and the Council had already made investments into the Service.

It was **MOVED** by Councillor Biederman, **SECONDED** by Councillor Squires, and

RESOLVED that an update be brought back to a future meeting of the Committee on the progress of the consultation and that Members will have the opportunity to input into the review process being undertaken by the Council on the Internal Fostering fee structure.

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* **37** **Public Participation**

There were no further representations from Members of the Public (see minute *36).

* **38** **Children's Social Care Site Visits**

The Committee considered the findings of the Report (CS/18/04) in respect of Children's Social Care Site Visits, undertaken by Members of this Committee to monitor the performance and effectiveness of the Council's arrangements to protect and safeguard children from harm. Key findings of the site visits included, inter alia:

- good staff morale;
- recruitment and retention issues across the county in relation to permanent and agency staff which had caused instability for staff; this had been exacerbated by neighbouring authorities paying higher rates than Devon;
- reduced caseloads;
- the need for improved multi-agency working;
- better support for schools to help manage their risk;
- placement sufficiency and suitability with a lack of option for those young people with complex needs
- limited support for care leavers in terms of independent living;
- time spent for social workers waiting for car parking at County Hall.

Members had highlighted the dedication and hard work of staff over and beyond their contractual arrangements and wanted to ensure that Children's Social Care Staff were valued accordingly.

It was **MOVED** by Councillor Sellis, **SECONDED** by Councillor Mathews and

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.

* **39** **Strategic Review of Special Educational Needs Provision**

The Committee received the Report of the Head of Education and Learning (CS/19/04) on the Strategic review of Special Educational Needs Provision, with the Council undertaking a strategic level review of educational provision for those children and young people (aged 0-25 years) with Special Educational Needs (SEN). The review had been undertaken due to the SEND Strategy Improvement Plan and the Department for Education requiring Local Authorities to undertake an assessment of the provision for children with complex needs and had provided guidance on how those reviews should be completed. The Department for Education had made available a capital fund for the next three years to carry out the work, commencing in 2018/19, of which £749,000 per year which would be ringfenced.

Current progress on the Project included:

- a desktop analysis of available data which included home transport;
- a detailed Asset Management Review of Devon's Special Schools;
- a review of support centres in mainstream schools;
- an external demographic review of Devon's SEND future needs;
- a review of out of county placements and learners in Alternative Provision; and
- a survey of children/young people with complex SEN, their parents and providers of education.

* **40** **Domestic and Sexual Violence and Abuse Report**

The Committee considered the Report of the Chief Officer for Children's Services (CS/18/05) on the Devon Domestic, Sexual Violence and Abuse (DVSA) Strategy 2016-2021 that set out the vision to *end domestic and sexual violence and abuse in Devon*. A multi-agency DSVSA Strategy and Delivery Group had been established to oversee the implementation of the action plan, who were accountable to the Safer Devon Partnership.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis and

RESOLVED that a briefing paper providing further information on Operation Encompass, be circulated to Members.

* **41** **Development of the Disabled Children's Service**

The Committee received the Report of the Chief Officer for Children's Services (CS/18/06) outlining plans to refocus the Disabled Children's Service (DCS) towards building independence, choice and control that would better support service users and their families into adulthood. The aim of the DCS was to offer services that were closer to the communities in which the children lived and to create a service that was more accessible to families and was safe and fit for purpose.

The Disabled Children's Services focussed on:

- rebalancing residential short breaks and community short breaks in line with the SEND strategy which increased the focus both on aspirations for children and raised carer support;
- reviewing the impact of Personal Budgets;
- reviewing the eligibility criteria to ensure the best response to the right families at the appropriate time; and
- emphasising inclusion in mainstream services, rather than relying on separate specialist provisions.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis and

RESOLVED that an update Report be brought back to a future meeting of this Committee.

* **42** **Children's Centre Contract Implementation**

The Committee received the Report of the Chief Officer for Children's Services (CS/18/07) outlining the implementation of the Children's Centre Contract, which had moved toward an integrated system of delivery, working together with Health and Public Health, including Public Health Nursing Services. Changes to Children's Centres were consulted in 2014 and the following principles were agreed, based on feedback from families and communities:

- to focus services on the most vulnerable;
- reduce building costs;
- fund front line delivery;
- encourage others to deliver some universal services from Children's Centre buildings;
- reduce the number of contracts aligning to city/council boundaries.

The new contract was awarded to Action for Children for three years with the option to extend for one year, with the new contract focussing on delivering targeted intervention and support for children 8 years old and under to prevent the need for statutory intervention.

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* **43** **Children's Social Care Performance Report**

The Committee received the Children's Social Care Performance Report from the Head of Children's Social Care (CS/18/08) on the latest performance measures. Key areas highlighted within the Report and by the Chief Officer included, inter alia, population profile and caseloads, the Multi Agency Safeguarding Hub (MASH) and referrals; Children in Need; Child Protection, Children Looked After and Care Leavers, and Adoption.

It was **MOVED** by Councillor Hannaford, **SECONDED** by Councillor Sellis and

RESOLVED that future performance reports be clear and concise and reformatted to highlight key themes and any areas for improvement.

* **44** **Education and Learning Performance Report**

The Committee received the Report of the Head of Education and Learning (CS/18/03) on the latest performance measures, highlighting key areas including: Early Years Foundation Stage, Free School Meals, Special Educational Needs pupils, requests for Statutory Assessments, and transfers from statements. The Report noted that Devon was above average in all key areas of educational performance. An Annual Report on the Devon Virtual School was also provided, analysing key data including outcomes for Looked After Children and Children in Care, attendance and absence, and outcomes for each key stage.

* **45** **Children's Scrutiny Committee Work Programme**

RESOLVED that the current Work Programme be approved subject to inclusion of the following topics for future consideration and also those agreed at the meeting:

(a) a future Report on Missing Children and Young People

[NB: The Scrutiny Work Programme was available on the Council's website at <https://new.devon.gov.uk/democracy/committee-meetings/scrutiny-committees/scrutinyworkprogramme/> and the Council/Cabinet Forward Plan is available at <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

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

The Meeting started at 2.15 pm and finished at 5.30 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

25 January 2018

Present:-

Councillors S Randall-Johnson (Chair), H Ackland, J Berry, P Crabb, R Gilbert, B Greenslade, R Peart, R Scott, P Twiss, N Way, C Whitton, C Wright and J Yabsley

Apologies:-

Councillors S Russell, P Sanders, J Trail and P Diviani (Devon Councils).

Members attending in accordance with Standing Order 25

Councillors A Dewhirst, R Croad, J Hart and A Leadbetter

* 33

Minutes

RESOLVED that the Minutes of the meeting held on 21 November be signed as a correct record.

* 34

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 35

Public Participation

There were no oral representations from members of the public.

* 36

Budget 2018/2019 and Capital Programme for 2018/19 to 2022/23

(Councillors Croad and Leadbetter attended in accordance with Standing Order 25 (1) and spoke to this item at the invitation of the Committee and Councillor Dewhirst attended and spoke in accordance with SO (2))

The Committee noted that the proposed budget for the 2018/19 financial year would be scrutinised by individual Scrutiny Committees, with an overview of those issues arising being further debated by the Corporate Infrastructure and Regulatory Services Committee as well as draft budget proposals within the Committees own remit, providing an opportunity for Members to comment on proposals for the Council's Budget in its entirety and also the Chairs of both the Children's Scrutiny Committee and Health and Adult Care Scrutiny Committee attending and presenting, as required.

This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest that might be considered at the Corporate Infrastructure and Regulatory Services Committee for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the Joint Report of the County Treasurer, the Chief Officer for Adult Care and Health Services and the Chief Officer for Communities, Public Health, Environment and Prosperity (CT/18/02) on the provisional financial settlement made by Government within the current and anticipated public sector funding regime and the spending targets set by the Cabinet for each service area which included inflation, commitment and service prioritisation reductions. The Report also detailed the proposed medium-term capital programme for the Adult Care and Health Service and how it was funded.

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The Cabinet, at its meeting of 13th December 2017, had set Revenue Budget targets for 2018/19 which totalled £477.391 millions. This included funding for budget pressures of £28.593 millions that mainly related to additional expenditure to allow for service growth to cater for demographic changes such as increased children and adult service users and unavoidable cost pressures. Savings and income initiatives of £20.842 millions were required to set a balanced budget. The target for Adult Care and Health also included £10.148 millions in relation to the One-off Improved Better Care Fund grant announced by the Chancellor in March 2017.

The announcement by Government on the Local Government Finance Settlement for 2018/19 was made on the 19th December 2017. The 2016/17 local government finance settlement previously announced Core Spending Power figures for the four year period of 2016/17 to 2019/20 and the Provisional Settlement for 2018/19 confirmed the Core Funding figures was at the expected level of £115.2 millions. There had however been other changes in relation to the proposal to reduce the Rural Services Delivery Grant in 2018/19 from £65m to £50m which was now not going ahead, with the grant remaining at the current level. Government had also decided not to go ahead with proposed changes to the New Homes Bonus Scheme and there was a change to the annual Business Rates inflationary increase from Retail Price Index (RPI) to Consumer Price Index (CPI), effective from 2018/19, meaning a reduction to Business Rates received by Local Authorities as part of Core Funding.

The Committee were reminded that its consideration of the Adult Care and Health Services and the Public Health budget proposals were just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet on 9 February 2018 formulating a budget for consideration by the County Council on 15 February 2018.

The County Treasurer, Chief Officer of Adult Care and Health Services, the Head of Adult Commissioning and Health, Head of Adult Care Operations and Health; and the Deputy Director of Public Health commented on the likely implications of the 2018/19 target for individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Report also contained the detailed budget proposals for the Public Health and Adult Care and Health Services, prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services.

The Public Health base budget was £418,000 and included inflation and pressures and required savings and income initiatives of £382,000.

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 Report now before the Committee also referred to the Budget 2018/19 Impact Assessment, circulated prior to the meeting, giving an overview of the impact assessments for all service areas (available at: <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/>), for the attention of Members at this meeting in order that they may be aware of the equality impact assessments undertaken as part of the budget's preparation and that any risk assessments and projections were adequate and that the evidence supported the assumptions made in the formulation of the budget. Acknowledging also that 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, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

Public Health

- Public Health was predominantly funded by a ring-fenced grant from the Department of Health and Social Care which was reduced by £726,000 or 2.6% for 2018/19 and further grant reduction of 2.6% had been confirmed for 2019/20. This currently represented £36/head in Devon for public health (the 6th worst of all upper tier authorities);
- a programme of procurement was being undertaken during 2017/18 to enable service demands to be met from the reducing ring-fenced grant;
- impacts on local services from the proposed reductions in Children 5-19 Public Health programmes (£818,000) and Community Safety, Violence Prevention and Social Exclusion (£46,000) (which was part funded by the Police and Crime Commissioner) and actions of officers to mitigate risk;
- saving requirements in the Children 5-19 Public Health programmes (£818,000) and the impact on the Public Health Nursing Service (0-19 provision) with the loss of 30 Full Time Equivalents (from 200 (FTEs) to 170) within the Integrated Children's Services contract, as part of the negotiated reduction in the contract value for this service;
- re-tendering of substance misuse support service, domestic and sexual violence support and prevention services and the sexual health services which gave rise to £450,000 of savings for 2018/19;
- the impact of the proposed cuts in the Public Mental health budget (£223,000) in terms of the prevention agenda;
- additional grant funding secured to the main Public Health grant including funding for a Healthy New Town programme (Cranbrook), and funding from the Big Lottery to support a Pre-Diabetes intervention; and
- the service's role as part of the Sustainability Transformation Plan for Devon, working with key partners, including NHS England.

Adult Care and Health

- the demand led and unit cost pressures across all types of services;
- increased Learning Disability care packages with higher number of young people transitioning to adult care;
- demographic pressures which may translate to 225 new individuals needing packages of care in the next financial year;
- notwithstanding the demographic and winter pressures the stabilisation of care home placements with effective reablement and home support, through the Living Well at Home initiative for example in North Devon, planned to be rolled out to other areas;
- good market sufficiency across Devon of social care markets notwithstanding some local difficulties and the positive rating from the Quality Care Commission, through effective commissioning and monitoring;
- the impact of the proposed £4.5 millions reduction in Personal Care mitigated by improved reablement and home care packages;
- initiatives with key partners to address work force issues in recruitment and retention of staff;
- improving integrated working to achieve timely discharge from hospital;
- provision for the Barnstaple Hub within the proposed Capital Programme; and
- the Better Care Fund arrangements noting that the one-off improved funding after 2019/20, would be ceasing although it was anticipated that core BCF funding would increase but this was not assured.

It was **MOVED** by Councillor Wright, **SECONDED** by Councillor Randall Johnson, and

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HEALTH AND ADULT CARE SCRUTINY COMMITTEE
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RESOLVED that the provisional financial settlement and its impact on spending targets on the proposed Public Health and Adult Care and Health Services budgets for 2018/19 be noted and that issues and/or observations set out below be drawn to the attention of the Cabinet meeting on 9 February 2018:

(a) that the Cabinet continue to press Government through Devon MPs for a fair funding allocation for Devon for Public Health in recognition of the importance of the prevention agenda;

(b) that the Committee draws to Cabinet and Devon's MPs attention its grave concern about the impact of the cuts to the public health budget in particular:

(i) the loss of 30 FTE health visitors from public health nursing;

(ii) the anticipated significant impact to young people's mental health from the £223,000 reductions in spend on Public Mental Health at a time when anxiety and depression is increasing; and

(c) that the Cabinet be requested to support an allocation of money from the Sustainability and Transformation Partnership to continue to support Public Mental Health;

(d) that this Committee welcomes the additional monies of £10.148 millions from the Better Care Fund but records concerns about the longevity of this funding beyond 2020;

(e) that the proposed medium-term Capital Programme funding proposals be noted.

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

The Meeting started at 10.30 am and finished at 12.25 pm

HEALTH AND ADULT CARE SCRUTINY COMMITTEE

25 January 2018

Present: -

Councillors S Randall-Johnson (Chair), N Way (Vice-Chair), H Ackland, J Berry, P Crabb, R Gilbert, B Greenslade, R Peart, S Russell, P Sanders, R Scott, J Trail, P Twiss, C Whitton, C Wright and J Yabsley

Apologies: -

Councillor P Diviani (Devon Councils)

Members attending in accordance with Standing Order 25

Councillors K Ball, F Biederman, R Croad, A Dewhurst, A Leadbetter, B Parsons and M Shaw

* **37** **Standards Committee**

The Chairman welcomed Sir Simon Day who was attending the meeting in his capacity as a Co-opted Member of the County Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* **38** **Matter of Urgency: North Devon Health Care Trust**

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

(Councillor B Parsons attended in accordance with Standing Order 25 (1) and spoke to this item at the invitation of the Committee outlining his concerns about the impact on the isolated communities in his Division, particularly in view of the temporary closure of in-patient beds at Holsworthy Community Hospital)

The Chair had decided that the Committee should consider, as a matter of urgency, the recent vote of 'no confidence' by the Trust's Medical Advisory Committee in the Trust's Clinical Director and following publication of the Care Quality Commission Report Review into Northern Devon Healthcare Trust and the finding of 'Requires Improvement' in four out of five areas.

- Urgent and Emergency care services remained as 'requires improvement';
- Maternity, which had 'got worse' since the last inspection and was now rated as 'requires improvement' from a previous rating of 'good';
- End of Life Care, was still rated as 'requires improvement';
- Outpatients Services had declined and were now judged as 'inadequate'.

The Chair reported that she had written to the Trust's Chief Executive asking that the detailed actions the Trust was planning to address the issues be shared with the Committee, with a view to a report at the next meeting of this Committee.

* **39** **Public Participation**

In accordance with the Council's Public Participation Rules, the Committee received and acknowledged oral representations made by Councillor J Goffey and Dr Slot on a matter to be considered by the Committee, namely the 'future of services and buildings in Community hospitals (Minute *42 refers).

The Chair responded, thanking the speaker for his attendance and presentation which would be taken into account by the Committee during its subsequent deliberations.

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HEALTH AND ADULT CARE SCRUTINY COMMITTEE
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* **40** **Annual Report: Devon Safeguarding Adults Board**

(Ms P Rogers, Vice Chair of the DSAB attended and spoke to this item at the invitation of the Committee)

The Committee received a report of the Independent Chair of the Devon Safeguarding Adults Board which summarised some of the work that had taken place in 2016/17 and was detailed in their published Annual Report 2016/ 2017.

This Annual Report was concise, and had been well received by all partners. It ensured that key messages were portrayed and delivered and widely understood. More detailed information was published on the Board's website, including the full Safeguarding Adult Review (SAR) Report and the accompanying Action Plan which had been completed in 2016/17.

[detailed information about the work of the Board was available on the DSAB website: <https://new.devon.gov.uk/devonsafeguardingadultsboard/>]

The Vice Chair of the DSAB responded to Members' questions and/or commented on the:

- availability of further comparative information against other Board activities and rates of referrals, which the Vice Chair undertook to provide to members;
- composition of the Board and the involvement of Healthwatch to help gauge public concerns;
- increasing volume of referrals including via a NHS safeguarding phone-app and the proposed development of a South West version; and
- current legal process for lasting power of attorney and the safeguarding checks involved.

The Chair thanked Ms Rogers for her attendance and report.

* **41** **South Western Ambulance Service NHS Foundation Trust: Performance**

(Mr G Griffin and K McSherry, SWAST attended and spoke to this item at the invitation of the Committee)

(Councillors F Biederman and M Shaw attended in accordance with Standing Order 25(2) and spoke to this item)

The Committee considered a report by South Western Ambulance Service NHS Foundation Trust (SWASFT) on the National Ambulance Response Programme (ARP) and performance figures.

The new set of ambulance service standards, initiated nationally in October 2017 as part of the Ambulance Response Programme (ARP) meant that every incident would count towards the average performance, as opposed to previous time targets for an incident which had not taken account of the 'tail' of calls that were out of performance.

SWASFT had been a pilot trust for ARP since October 2014 with the Dispatch on Disposition pilot which started in February 2015. As a result, the Service had seen improvements in productivity and efficiency from the initial pilot with, on average, less vehicles being sent to each incident, freeing up resources to attend more patients. The Trust was now in the process of updating its Control and Dispatch system in line with the national adoption of the new standards which had started in October 2017.

The SWAFT representatives responded to Members' questions and/or commented on the:

- availability of comparative figures which was now problematic in view of the new ARP arrangements,
- availability of information on a local authority district wide basis;
- the impact on ambulance turnaround times due to the current pressures within acute hospitals Accident and Emergency departments, and availability of comparative information in relation to the acute hospitals in the County and the good working relations between the Trusts;
- welfare practices and safeguards for all the Trust's Workforce;
- generally widespread availability of defibrillators in the community and the valuable work of the 168 voluntary Community First Responders in more than 65 locations throughout Devon; and members undertook to provide information on the distribution of defibrillators in their Divisions; and
- the increase of double crewed ambulance vehicles and the decrease in fast response vehicles.

The Trust representatives undertook to provide further information for members in relation to:

- the most recent performance information and response times by acute hospital with urban and rural breakdown for Devon as a whole;
- a further explanation and understanding of the graduation of response times after the 8 minute cut off (e.g. was that 10 minutes or 60?);
- staff turnover, sickness absence and any results of staff survey and morale;
- further information and commentary on complaints;
- progress on the move to single triage and lessons learnt in the process;
- 'Outliers' – areas where performance was not typical.

The Chair thanked the representatives for their attendance and report.

* 42

The Future of Services and Buildings in Community Hospitals - Implementation Update & NHS Property Services

(Councillors K Ball and M Shaw attended in accordance with Standing Order 25(2) and spoke to this item referring respectively to the need for effective local community engagement by NHS Property Services and the NEW Devon CCG in respect of the Okehampton Community Hospital and the importance of the principle of 'place-based care' with proper resourcing)

(Mr A Cameron, NHS Property and Dr S Manton, Joint Director (Strategy) North, East and West (NEW) Devon CCG and South Devon and Torbay CCG attended and spoke to this item at the invitation of the Committee)

The Committee considered the Joint Report of NHS Property Services and NHS Northern, Eastern and Western Devon NEW Devon Clinical Commissioning Group on an update on the future of services and the twelve community hospital buildings involved in the 2016 transfer of ownership from Northern Devon Healthcare Trust to NHS Property Services. The Report covered facilities management, future service provision and use of buildings, market rents, community contributions and investment.

The representatives responded to Members' questions and/or commented on the:

- use of buildings which was dependent on the models of care and service delivery options adopted by the Clinical Commissioning Groups (as tenants);
- charging market was important in helping ensure efficient and optimal use of the estate;
- importance of active community engagement in the development of new models of care prior to setting tangible proposals and then formal consultation and on which the Estates Strategy was contingent; and
- engagement process, scope and parameters and timetables which could be the subject of a future Master Class event open for all Members of the Council.

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HEALTH AND ADULT CARE SCRUTINY COMMITTEE
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The Representatives invited members to visit the Budleigh Salterton Community Hub as an example of where good community engagement by the NHS and local authorities had led to locally valued services.

It was **MOVED** by Councillor Greenslade, **SECONDED** by Councillor Way, and

RESOLVED

(a) that NHS Property Services be requested to uphold their undertaking to work with this Committee, the wider community in Devon and the local County Councillors in the investment in, and development of the NHS estate; and

(b) that the NEW Devon Clinical Commissioning Group keeps this Committee informed about timeframes and involved with progress on estate planning.

* 43 **Whole System Performance Report**

(Councillor A Leadbetter attended in accordance with standing Order 25 (1) and spoke to this item at the invitation of the Committee and Councillor M Shaw attended and spoke in accordance with Standing Order 25 (2)).

Dr S Manton, Joint Director (Strategy) North, East and West (NEW) Devon CCG and South Devon and Torbay CCG attended and spoke to this item at the invitation of the Committee.

The Committee considered the Joint Report of the Head of Adult Commissioning and Health (DCC) and Director Strategy (South Devon and Torbay CCG and NEW Devon (ACH/18/79) on data for the year ending November 2017 which focussed on a range of metrics covering acute and community hospital settings, primary care and social care to give an overview of health and care in Devon. Work was underway both nationally and locally to further develop performance frameworks for the whole health and care system.

The Chief Officer for Adult Care and Health Services, the Head of Adult Commissioning and Health (DCC) and the Joint Director (CCGs) and the Cabinet Member for Adult Social Care and Health commented:

- that the 'care at home' model whilst challenging in terms of market sufficiency and capacity in certain areas meant that no one should be left at risk in the community and action, if necessary, would be taken by a rapid response team and if appropriate a temporary safe placement would be found;
- that local and national performance information was available in terms of accident and emergency and cancer care, planned and unplanned admissions set against national priorities; and further information was also available on the current position to date in terms of winter pressures and that the providers did have good oversight with regular reporting to senior managers from the Trusts and the Clinical Commissioning Groups.

It was **MOVED** by Councillor Greenslade, **SECONDED** by Councillor Wright and

RESOLVED

(a) that the suite of indicators that are regularly presented to local senior teams in the NHS be submitted to the Committee to allow consideration as to whether these are typical of what the it would like to receive; and

(b) that a 'Winter Pressure' Report be submitted to the March 2018 meeting to arrangements regarding elective operations.

* **44** **Adult Social Care Annual Report**

(Councillor A Leadbetter attended in accordance with Standing Order 25 (1) and spoke to this item at the invitation of the Committee and Councillor F Biederman attended and spoke in accordance with SO (2))

The Committee considered the Report of the Head of Adult Commissioning and Health ACH/18/78 on the annual report 'Promoting Independence in Devon' 2017 (or 'local account') of the adult social care function of the Council which included: a self-assessment; a range of evidence supporting the self-assessment; and links to further sources of external information.

The adult social care functions of local authorities were not subject to routine inspection and instead, the Service participated in a national and regional approach to sector-led improvement which included: the publication of an annual report; an annual self-assessment, subject to external moderation and challenge; undertaking of mandatory returns covering a wide range of data and using insights gained from comparative analysis to inform improvement planning; and periodic peer review.

The Department of Health and Social Care was now introducing national dashboards and local area reviews to encourage the organisations across health and care systems to work more effectively together and future improvement activity was likely to have an increasingly whole system focus.

The Chief Officer for Adult Care and Health Services, the Head of Adult Commissioning and Health; and the Cabinet Member for Adult Care and Health Services responded to Members' questions and/or commented:

- that whilst additional resources from the 'Better Care Fund' were one-off grants (over the last and into the next financial year) the core funding element was expected to rise to promote continued integrated working with the NHS;
- that whilst there was good ongoing collaborative working with housing authorities this area was a recognised by the Service as requiring further attention in terms of Extra Care Housing and Supported Living provision for example;
- that further analysis of the client survey Focus Groups was required in view of some of the responses and perceptions and Officers would continue with engagement and dialogue with the user groups to address their concerns; and
- on the potential positives from amalgamation of social care within the Department of Health and Social Care in promoting integration, noting the possible longer-term negative implications for local authorities with the possibility of social care services being subsumed by the NHS and concerns over longer-term funding.

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Greenslade and

RESOLVED

(a) that when further information through continued dialogue and engagement with the Focus Groups/Service Users is analysed a report be submitted to this Committee with Councillor Wright taking a lead on behalf of the Committee with the appropriate senior officers;

(b) that a summary of activity over the previous year by the People's Scrutiny Committee regarding adult social care be prepared for inclusion in the final version of the annual report.

* **45** **Spotlight Review Report - NHS in Devon**

The Committee considered the Report of the Spotlight Review.

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HEALTH AND ADULT CARE SCRUTINY COMMITTEE
25/01/18

It was **MOVED** by Councillor Greenslade, **SECONDED** by Councillor Way, and

RESOLVED

(a) that the Cabinet and the NHS in Devon be requested to endorse the Report, its ambitions and specific recommendations detailed, with a report on progress against the Review recommendations in six months' time and that the Spotlight Report be sent to all Devon MPs;

(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 would be delivered and improved in Devon be requested for a future meeting.

* 46 **Accountable Care System**

(In accordance with Standing Order 23(2) Councillor M Shaw had requested that the Committee consider this matter)

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

The Committee received a paper from Councillor Shaw on an announcement by the Sustainability Transformation Plan to establish a Devon Accountable Care System (ACS) from 1 April 2018. The paper included what was known about the ACS and the paper presented questions, the answers to which remained unclear at this stage. The proposals included in Phase 2 the development of 'Accountable Care Organisations' which would agree contracts to provide services. Their accountability to this Committee and other democratic scrutiny processes was not clear at this stage. However, a legal challenge of the process nationally had led to a Judicial Review to begin on 22 April 2018.

It was **MOVED** by Councillor Yabsley, **SECONDED** by Councillor Greenslade and

RESOLVED that when further information is available and collated and the implications for the County Council and partner organisations is known and assessed, a report be submitted to the next meeting and if necessary consideration be given to a special meeting.

* 47 **GP Waiting Times for Appointments**

(In accordance with Standing Order 23(2) Councillor M Shaw had requested that the Committee consider this matter)

(Councillor Hook attended in accordance with Standing Order 25 (2) and spoke to this item highlighting the delays in many GP centres in gaining timely appointments, different practices and systems adopted and variability of the quality of service).

The Chair concurred that proper access to primary care services was important and suggested that consideration to this should either be reported within the regular performance reports to this Committee and/or added to the Work Programme for report to a future meeting and utilising the expertise of Healthwatch in this area.

* 48 **Work Programme**

(a) Progress of the Standing Overview Group (STP)

The Committee received the Notes of the Standing Overview Group (STP) held on 12 December 2017.

(b) Work Programme Changes

RESOLVED that the current outline Work Programme be noted subject to inclusion of the following topics for future consideration:

- (a) Accountable Care System (ACS);
- (b) GP appointment systems;
- (c) North Devon Health Authority: Action Plans;
- (d) Adult Social Care Focus User Groups; and
- (e) Winter Pressures.

[NB: The Scrutiny Work Programme was available on the Council's website at

<https://new.devon.gov.uk/democracy/committee-meetings/scrutiny-committees/scrutiny-workprogramme/>

and the Council/Cabinet Forward Plan is available at

<http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>

* 49

Information Previously Circulated

The Committee noted the list of information previously circulated for Members, since the last ordinary meeting, relating to topical developments including ones which have been or were currently being considered by this Scrutiny Committee.

- (a) Care Quality Commission report on Northern Devon Healthcare Trust and response from the Chair on behalf of the Committee.
- (b) Update from NHS England on orthodontic procurement.
- (c) Press release by the Royal Devon & Exeter NHS Foundation Trust RD&E on winter pressures.
- (d) Health and Care Insights - Issue 6: December 2017 - published by the Torbay and South Devon NHS Foundation Trust.
- (e) NHS England South (South West): procurement of orthodontic services across the South West.
- (f) Letter from the Committee of Crediton Hospital League of Friends on the future of the Community Hospital and response by the Chair on behalf of the Committee.
- (g) Information on the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 and The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 on the role and duties of Health Scrutiny.

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

The Meeting started at 2.15 pm and finished at 6.05 pm

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CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

31 January 2018

Present:-

Councillors A Dewhurst (Chair), P Colthorpe, M Asvachin, Y Atkinson, R Bloxham, J Hook, J Brook, C Chugg, R Edgell, A Saywell, M Shaw and C Slade

Apologies:-

Councillors K Ball, P Crabb and I Hall

Members attending in accordance with Standing Order 25

Councillor S Barker, J Clatworthy, A Connett, R Croad, A Davis, R Gilbert, R Hannaford, A Leadbetter, J McInnes and B Parsons

* 39

Minutes

RESOLVED that the Minutes of the meeting held on 28 November 2017 be signed as a correct record.

* 40

Items Requiring Urgent Attention

There was no matter raised as a matter of urgency.

* 41

Public Participation

There were no oral representations from members of the public.

* 42

Budget 2018/19

(Councillors Hannaford, Randall Johnson and Connett attended in accordance with Standing Order 25(2) and spoke to this item at the invitation of the Committee.)

(Councillors Atkinson, Colthorpe and Saywell declared personal interests in this item by virtue of being a trustee of the Exeter CAB, a trustee of Involve, Mid Devon (CVS) and a member of the South West Energy and Environment Group, respectively.)

Councillors Hannaford and Randall Johnson, as Chairs of the Children's Scrutiny Committee and the Health and Adult Care Scrutiny Committee, respectively, reported on the proceedings and recommendations from their respective Budget meetings.

Revenue Budget 2018/19 and Capital Programme for 2018/19 to 2022/23.

The Committee noted that the proposed budget for the 2018/19 financial year would be scrutinised by individual Scrutiny Committees, with an overview of those issues arising being further debated by the Corporate Infrastructure and Regulatory Services Committee as well as draft budget proposals within the Committee's own remit, providing an opportunity for Members to comment on proposals for the Council's Budget in its entirety and also the Chairs of both the Children's Scrutiny Committee and Health and Adult Care Scrutiny Committee attending and presenting, as required.

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This would follow the opportunity for individual Scrutiny Committees – at this meeting – to have an initial overview of the budget proposals and examine them to identify any specific issues or areas of interest for incorporation into any recommendations to Cabinet and Council.

The Committee then considered the joint report of the County Treasurer, the Chief Executive, the Head of Communities, Public Health, Economy and Prosperity and the Head of Highways, Infrastructure Development and Waste (CT/18/04) on the provisional financial settlement made by Government within the current and anticipated public sector funding regime and the spending targets set by the Cabinet for each service area which included inflation, commitment and service prioritisation reductions. The Report also detailed the proposed medium term capital programme for the Corporate Infrastructure and Regulatory Services and how it was funded.

The Cabinet, at its meeting of 13th December 2017, had set Revenue Budget targets for 2018/19 which totalled £477.391 millions. The included funding for budget pressures of £28.593 millions that mainly related to additional expenditure to allow for service growth to cater for demographic changes such as increased children and adult service users and unavoidable cost pressures. Savings and income initiatives of £20.842 millions were required to set a balanced budget. The target for Adult Care and Health also included £10.148 millions in relation to the One-off Improved Better Care Fund grant announced by the Chancellor in March 2017.

The announcement by Government on the Local Government Finance Settlement for 2018/19 was made on the 19th December 2017. The 2016/17 local government finance settlement previously announced Core Spending Power figures for the four-year period of 2016/17 to 2019/20 and the Provisional Settlement for 2018/19 confirmed the Core Funding figures was at the expected level of £115.2 millions. There were however other changes in relation to the proposal to reduce the Rural Services Delivery Grant in 2018/19 from £65m to £50m which was now not going ahead, with the grant remaining at the current level. Government had also decided not to go ahead with proposed changes to the New Homes Bonus Scheme and there was a change to the annual Business Rates inflationary increase from Retail Price Index (RPI) to Consumer Price Index (CPI), effective from 2018/19, meaning a reduction to Business Rates received by Local Authorities as part of Core Funding.

The Committee were reminded that its consideration of the draft Corporate Infrastructure and Regulatory Services budget was just part of the process of setting the County Council's budget which, following this meeting, would culminate in the Cabinet on 9 February 2018 formulating a budget for consideration by the County Council on 15 February 2018.

The Chief Executive, County Treasurer and Head of Services commented on the likely implications of the 2018/19 target for their individual service areas, confirming that the overall approach had been to strike a balance between the reality of the financial challenges facing the Council and providing sustainable support services against the increasing demands of front-line services and operational demands.

The Report also contained the detailed budget proposals for Corporate Infrastructure and Regulatory Services, prepared in line with the targets referred to above, reflecting the different pressures and influences faced by services.

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.

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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 Report also referred to the Budget 2018/19 Impact Assessment, circulated prior to the meeting, giving an overview of the impact assessments for all service areas (available at: <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/>), for the attention of Members at this meeting in order that they may be aware of the equality impact assessments undertaken as part of the budget's preparation and that any risk assessments and projections were adequate and that the evidence supported the assumptions made in the formulation of the budget. Acknowledging also that 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, Members of the Council must have full regard to and consider the impact of any proposals in relation to equalities prior to making any decisions and any identified significant risks and mitigating action required.

Specific issues and observations arising from the current budget proposals raised at the meeting included the following:

Communities, Public Health, Environment and Prosperity Services

- reflected in the budget savings was the reducing journey numbers on the National Concessionary Travel Scheme, within the Planning, Transportation and Environment service, which was demand led;
- Trading Standards had been working efficiently across an expanding shared service arrangement;
- current income streams within Communities, Environment and Prosperity had been reviewed and overall it was believed that additional income would be generated;
- the Public Health grant of £27.512 millions remained ring fenced for 2018/19, which represented a reduction of 2.6% from that received in 2017/18, with a further grant reduction of 2.6% confirmed for 2019/20;
- a programme of procurement had been undertaken during 2017/18 to enable service demands to be met from the reducing ring-fenced grant, and included the sexual health, substance misuse and domestic violence services being tendered, which resulted in efficiency savings of £450,000 to its budget; and
- grant funding had been secured in addition to the main Public Health grant for a Healthy New Town programme (Cranbrook), and funding from the Big Lottery to support a Pre-Diabetes intervention service was due to be launched in April 2018.

Corporate Services

- the budget increase would provide for continued refinement of service delivery models supported by new and improved cloud-based IT systems to help engineer change and produce increased efficiencies and reduce costs, and provision of support funding for the Public Health Nursing Service; and
- pressure of increasing demands for legal support in respect of Children and Adult safeguarding.

Highways, Infrastructure Development and Waste Services

- the procurement of the new term maintenance contract had generated significant savings during 2017/18 and further efficiencies of £2.8 millions were anticipated during 2018/19;
- income generation had been explored to offset required savings and current charges would continue to be reviewed;

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- the Waste service was facing increased expenditure from anticipated waste tonnage growth and other demographic pressures, partially offset by expected savings from future contractual arrangements, bringing the net increase to just over £1 million;
- collaborative working with contractors, communities and individuals ensured the Council could maximise Government capital funding;
- discipline on spending enabled the service to respond to in-year changes and pressures faced by extreme weather events; and
- road maintenance preventative works should include drainage, gully and ditch clearing.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Edgell and

RESOLVED that the provisional financial settlement and its impact on spending targets and on the proposed Corporate Infrastructure and Regulatory Services budget for 2018/19 be noted and that the issues and/or observations from all Scrutiny Budget meetings, as set out below, be drawn to the attention of the Cabinet meeting on 9 February 2018:

- (a) that Scrutiny Committees note the Government's provisional financial settlement and the spending targets determined by the Cabinet, expressing concern nonetheless at the continuing financial pressure faced by local authorities and the potential consequences on the ability of the Council to do what matters for the citizens of Devon;
- (b) Scrutiny welcomes the County Council's successful application to be one of the ten 2018/19 business rate retention pilots, with the estimated benefit to the wider Devon area of just under £17 millions and asks that Cabinet continues to press for clarity over funding arrangements for local government for 2019/20 and beyond;
- (c) Scrutiny welcomes the endeavours undertaken by this Council to achieve fairer funding for children in schools across Devon but ask Cabinet to continue to pursue this matter until funding for education is equitable with other similar local authorities;
- (d) ask that the Cabinet be asked to continue to monitor the sufficiency and financing of appropriate placements for children in care both locally and nationally, particularly those meeting the needs of children with complex needs;
- (e) request that the Cabinet continue to maintain the commitment of the Council that adverse impacts for foster carers arising from the restructure of fostering fees, will be eliminated in the short term thus minimising any risk of de-stabilising children currently in placement, to ensure that current placements will not be adversely affected. Furthermore, that the changes, which are currently being negotiated with foster carers, once finalised through Cabinet, will be designed and introduced in ways that minimise any potential impact;
- (f) that the Cabinet continue to press Government through Devon MPs for a fair funding allocation for Devon for Public Health, in recognition of the importance of the prevention agenda;
- (g) that Scrutiny draws to Cabinet and Devons MPs' attention grave concerns about the impact of the cuts to the public health budget, in particular:
 - (i) the potential loss of 30 FTE health visitors from public health nursing;
 - (ii) the anticipated significant impact to young people's mental health from the £223,000 reductions in spend on Public Mental Health at a time when anxiety and depression is increasing;

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- (h) that the Cabinet be requested to support an allocation of money from the Sustainability and Transformation Partnership to continue to support Public Mental Health;
- (i) that Scrutiny welcomes the additional monies of £10.148 millions from the Better Care Fund but records concerns about the longevity of this funding beyond 2020;
- (j) ask Cabinet to identify additional resource in the Highways and Traffic Management budget to prioritise preventative work on drainage to include gully emptying and cleaning, as well as ditching;
- (k) that Cabinet consider the balance of approach taken on preventative highways maintenance acknowledging the impact this has on the repair of defects in lower category rural and urban estate roads and that funding is made available to achieve this request;
- (l) re-iterate the need for Cabinet to satisfy itself that all risk and impact assessments continue to be updated and are compiled with the evidence gathered during this budget preparation exercise and any subsequent engagement processes to support the proposed way forward; and
- (m) that the Cabinet satisfy itself that the budgets prepared on the basis of its approved targets are indeed sufficient to meet the demands placed on those services and that the apportionment of resources between the various services is appropriate and proportionate.

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

The Meeting started at 10.30 am and finished at 1.00 pm

CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE

31 January 2018

Present:-

Councillors A Dewhirst (Chair), P Colthorpe (Vice-Chair), M Asvachin, Y Atkinson, R Bloxham, J Hook, J Brook, C Chugg, R Edgell, I Hall, A Saywell, M Shaw and C Slade

Apologies:-

Councillors K Ball and P Crabb

* **43** Items Requiring Urgent Attention

(a) Bridges in Devon

The Chair had decided that the Committee should consider this item as a matter of urgency because of the recent RAC press release regarding the number of sub-standard bridges in Devon.

The Chief Officer for Highways Infrastructure Development and Waste reported that although the headline figure showed that Devon had the largest number of sub-standard bridges in the county, it needed to be considered in the context that Devon had the largest road network length of any authority in the UK and had 40% more bridges. Given the fact that the 249 sub-standard bridges figure included the 90 clapper bridges on Dartmoor, together with several bridges where it was impossible for heavy vehicles to get there because of the geometry of the highway network, they would not be considered for upgrading.

Furthermore, every three to five years the ADEPT Bridges Board carried out a survey of highway authorities to look at the condition of bridge stock. The last survey in 2015 showed that Devon was in the top 3 in the country for overall condition.

(b) Council's Gritting Policy

The Chair had decided that, at Councillor Colthorpe's request, the Committee should consider this item as a matter of urgency because of recent adverse weather conditions.

Councillor Colthorpe reported on the number of recent accidents in her area due to the icy weather and difficult driving conditions and requested that the Council's gritting policy be looked at in relation to criteria for gritting and primary salting network.

RESOLVED that a Member Development session take place on 26 February 2018 to consider the Council's gritting policy on primary routes and thereafter, if felt necessary, to form a Task Group, to be chaired by Councillor Colthorpe, to further investigate the gritting policy.

* **44** Public Participation

There were no oral representations from members of the public.

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CORPORATE INFRASTRUCTURE AND REGULATORY SERVICES SCRUTINY COMMITTEE
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* **45** **Broadband and Mobile Phone Connectivity Task Group Update**

The Committee received the Report of the Task Group (CSO/18/06) which gave an update on the work undertaken to date and a summary of the evidence received.

In discussion with Members, the following points were raised:

- that future Scrutiny work could focus more greatly on the accessibility of mobile phone coverage in the County; and
- the possibility of ducting to new houses being a condition of future planning permissions.

The Task Group planned to continue with further meetings and to publish its final report in March 2018.

* **46** **Impact of Brexit on Devon Economy**

The Committee received the report of the Head of Economy, Enterprise and Skills (EES/18/1) on some of the key themes potentially impacted by Brexit. It was however acknowledged that key aspects of the UK's exit from and future relationship with the EU remained subject to considerable uncertainty, making it difficult to assess the potential impact of Brexit on Devon's economy.

The report highlighted the potential opportunities and impacts of Brexit for Devon, which were the Labour market; Trade; EU funding; Agriculture and Fisheries, Confidence and Investment and Intra-UK migration.

In discussion, the following points were made:

- that Devon MPs and stakeholders should be lobbied;
- the Brexit Resilience and Opportunities Group were working with the LEP and other local authorities looking at the important sectors of agriculture and construction, and also conducting a business survey, monitoring impacts, where the first stage of the research was due to be completed in the Spring;
- the Council were also working with existing businesses and the Department of International Trade to bring together Devon's exporting businesses to feed into the development of future exporting opportunities;
- the Council would be lobbying on the new Shared Prosperity Fund (a replacement for EU funding) to ensure it met the needs of the South West; and
- that due to the complexities and uncertainty around the UK's future relationship with the EU, full economic modelling of the potential impacts of Brexit on the Devon economy would not be financially viable at this time.

The Head of Service undertook to provide Councillor Shaw with an estimate of labour market migration data.

* **47** **Income Generation: Task Group Update**

The Committee received the Report of the Head of Economy, Enterprise and Skills (EES/18/2) on progress made to date by the Income Generation Task Group on the recommendations that were made at the Committee's September 2016 meeting and subsequently endorsed by Cabinet.

The Report provided an update on the progress made against each of those individual recommendations and a summary of general developments since September 2016. It also highlighted further planned activity in respect of the issues identified.

Members suggested this might be a possible Task Group investigation for the Farms Estate Committee.

It was **MOVED** by Councillor Dewhirst, **SECONDED** by Councillor Brooks and

RESOLVED that a further update be provided to the Committee in six months' time enabling the Committee to input into the development of practical measures for improving the Council's approach to income generation activities.

* **48** **Co-ordination of Highway Activity**

The Committee received the report of the Chief Officer for Highways, Infrastructure Development and Waste (HCW/18/2) highlighting the Council's responsibilities in managing and co-ordinating works activity on the highway; how the Council monitored those works and the challenges currently faced; and the performance information for the four main utility companies on noticing and reinstatement activity.

In discussion, the following points were made:

- the poor quality of work carried out by some sub-contractors and badly repaired potholes;
- lack of penalty for returning to 'make good' work, and
- the establishment of a 'one point of contact' for utility companies.

* **49** **Treasury Management and Investment Strategy 2018/19**

The Committee received the Report of the County Treasurer (CT/18/08) on the proposed Treasury Management and Investment Strategy 2018/19 financial year, prepared in accordance with the revised Treasury Management Policy Statement and revised CIPFA Code of Practice for Treasury Management, to be submitted to the Cabinet and the County Council for ratification following consideration by this Committee.

It was **MOVED** by Councillor Atkinson, **SECONDED** by Councillor Brooks, and

RESOLVED that the Treasury Management Strategy 2018/19 be endorsed and commended to the Cabinet and County Council.

* **50** **Community Strategy Action Plan**

The Committee received the Report of the Chief Officer for Communities, Public Health, Environment and Prosperity (SC/18/1) providing the Committee with further information regarding its delivery and implementation, as requested at its November meeting.

The Chief Officer reported that the delivery of the strategy would be best achieved in partnership and through collaborative working. Key action areas were Commissioning and Funding; Volunteering; Communications and Engagement; Role Development and Evidence and Evaluation. Of particular interest to Members was the crowd funding opportunities and how Members would be supported. It was proposed to have a pilot scheme in place by Easter.

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RESOLVED

- (a) that the Committee undertake further work examining and inputting into the key action areas from the Community Strategy, specifically crowd funding and how the Council supports community development; and
- (b) that an invitation to join this piece of work be extended to all Scrutiny Members.

* **51** **Clear Channel Contract Update**

Councillor Asvachin reported that following a conducive meeting with Clear Channel, a 'one point of contact' had been established in the Council to ease communication.

The Member Investigation would provide a further report to the Committee at a future meeting.

* **52** **Scrutiny Work Programme**

RESOLVED that a future Masterclass be held on the Council's strategy for cycling and walking, including the use and design of roundabouts, and that a more in depth piece of work be undertaken if felt necessary.

* **53** **Future Meetings**

Please use link below for County Council Calendar of Meetings:

<http://democracy.devon.gov.uk/ieListMeetings.aspx?Committeeld=175>

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

The Meeting started at 2.15 pm and finished at 4.50 pm