

Phil Norrey
Chief Executive

To: The Chair and Members of the
Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 2 July 2019
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk
:

CABINET

Wednesday, 10th July, 2019

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 12 June 2019 (previously circulated).

3 Items Requiring Urgent Attention

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

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

NIL

KEY DECISIONS

- 7 Investing in Vulnerable Children (Special Educational Needs and Disabilities (SEND) and Children's Social Care (Pages 1 - 8)

Report of the Chief Officer for Children's Services (CS/19/20) on approval to secure accelerated improvements as identified in the December 2018 Area SEND Inspection by Ofsted and CQC and May 2019 Focused Visit by Ofsted, attached.

Electoral Divisions(s): All Divisions

- 8 Children and Young People Plan (Pages 9 - 68)

Report of the Chief Officer for Children's Services (CS/19/21), seeking approval on the Devon Children and Families Partnership Children and Young Peoples Plan, attached.

An Impact Assessment is also available for the attention of Members at this meeting.

Electoral Divisions(s): All Divisions

MATTERS REFERRED

- 9 Treasury Management Annual / Outturn Report (following consideration by the Corporate Infrastructure and Regulatory Services Scrutiny Committee) (Pages 69 - 90)

Report of the County Treasurer (CT/19/59), previously considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee held on 25th June 2019, attached.

Electoral Divisions(s): All Divisions

- 10 Children's Scrutiny Committee - Education, Health and Care Plan (EHP) Task Group Report (Pages 91 - 130)

The Children's Scrutiny Committee at its meeting on 10th June 2019 considered the Education, Health and Care Plan (EHP) Task Group Report (Minute *121 refers) which covered the process of applying for and producing an EHCP in Devon. The task group had been established to respond to concerns over not meeting the statutory timescales in completing and issuing EHCPs.

It is to be noted that some of the task groups recommendations had already been included in the Written Statement of Action and were therefore being progressed.

The Children's Scrutiny Committee subsequently resolved that the Task Group report and recommendations be endorsed and commended to the Cabinet.

Recommendations

a) that the Children's Scrutiny Committee be thanked for its Task Group Report and the recommendations are noted;

b) that Cabinet also note the current work being undertaken in the Written Statement of Action which already includes most of the task groups recommendations; and

(b) that the relevant Cabinet Member and Chief Officer for Children's Services take forward the Report and progress subject to available resources, engaging other partners, stakeholders and contractors as necessary.

Electoral Divisions(s): All Divisions

11 Children's Scrutiny Committee - Special Guardianship Task Group Report (Pages 131 - 150)

The Children's Scrutiny Committee had, at its meeting on 10th June 2019, considered the Special Guardianship Task Group Report (Minute *127 refers) which focussed on the experience of Special Guardians and subsequently reflected on the issues faced by them.

The Committee resolved that the Report and recommendations be endorsed and commended to the Cabinet.

Recommendation

a) that the Children's Scrutiny Committee be thanked for its Task Group Report and the recommendations be noted and

(b) that the relevant Cabinet Member and Chief Officer for Children's Services take forward the Report and progress subject to available resources, engaging other partners and stakeholders as necessary.

Electoral Divisions(s): All Divisions

12 Children's Scrutiny Committee - Schools Funding in Devon 2019/20

At its meeting on 10th June 2019, the Children's Scrutiny Committee, in considering a Report from the Head of Education and Learning (CS/19/17) on Schools Funding in Devon 2019/20 noted that in 2019/20 the funding per pupil in Devon was £4,395 compared to the national average of £4,689, a difference of £294. This meant that across the authority this equated to £27 million less funding, based on the October 2018 school census.

The Committee therefore resolved that the Cabinet be asked to lobby the Department of Education over the need to increase funding for schools in Devon, highlighting in particular:-

- (a) the real term reduction in schools funding of 10% since 2009/10;
- (b) that Devon gets £294 per pupil less than the national average;
- (b) high needs pressures and including increased EHCP numbers;
- (c) the inadequacy of Government capital maintenance funding to meet the current school building maintenance backlog; and
- (d) the deferment of announcement of round 3 of the priority schools building programme.

Recommendation

(a) that the Children's Scrutiny Committee be thanked for their support and full recognition of the Schools Funding issues in Devon;

(b) that the Cabinet Member for Children's Services and Schools be asked to make representations to the Secretary of State for Education over the pressing need to increase funding for schools in Devon, highlighting in particular the issues raised by the Scrutiny Committee relating to the real term reduction in schools funding, the amounts received in Devon compared to the national average, the pressures of high needs and increasing EHCP numbers, the inadequate capital maintenance funding to deal with school building maintenance backlogs and the deferment of announcement of round 3 of the priority schools building programme.

Electoral Divisions(s): All Divisions

13 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Traffic Speed Task Group
(Pages 151 - 192)

At its meeting on 25 June 2019, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Report of the Traffic Speed Task Group (Minute *132 refers) and the recommendations contained therein.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee expressed their thanks to those involved in the production of the Report and commented on the positive effect of 20mph on climate change, the importance of culture change and educating communities in relation to 20mph and the role of the planning process in designing housing and communities that supported 20mph zones. It was further considered that some budget lines were already committed, therefore it was recognised that some works might need to be deferred and / or re-organised to accommodate the recommendations.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee RESOLVED that the Task Group Report and recommendations be commended to the Cabinet.

Recommendation

A proposed recommendation will be made available at the meeting.

Electoral Divisions(s): All Divisions

14 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Maintenance of Vegetation and Drainage Adjacent to the Highway

At its meeting on 25 June 2019, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Report of the Chief Officer for Highways, Infrastructure Development and Waste on the Maintenance of Vegetation and Drainage Adjacent to the Highway.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee subsequently RESOLVED to;

(a) ask the relevant Cabinet Member to

- (i) where appropriate, to write to Landowners to prompt them and their tenants to undertake their duties regarding maintenance and drainage adjacent to the highway;
- (ii) write to the NFU and CLA to request a meeting to discuss responsibilities with a view to improving the current situation; and
- (iii) consider inviting the NFU to the planned local conferences.

(b) request that Cabinet asks the Communications team to publicise the policy and responsibilities of landowners and tenants regarding ash die back, hedge cutting and drainage.

Recommendation

A proposed recommendation will be made available at the meeting.

Electoral Divisions(s): All Divisions

STANDING ITEMS

15 Question(s) from Members of the Public

- 16 Minutes
- a Standing Advisory Council on Religious Education - 14th June 2019 (Pages 193 - 198)
 - b Devon Education Forum - 19 June 2019 (Pages 199 - 206)
 - c Devon Authorities Strategic Waste Committee - 19th June 2019 (Pages 207 - 210)

Minutes of the bodies shown above are circulated herewith for information or endorsement as indicated therein:

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:
Minutes of the [Devon Education \(Schools\) Forum](#):
Minutes of the [South West Waste Partnership](#)
Minutes of the [Devon & Cornwall Police & Crime Panel](#)

- 17 Delegated Action/Urgent Matters (Pages 211 - 212)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

- 18 Forward Plan (Pages 213 - 220)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

[NB: The Forward Plan is available on the Council's website at: <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

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

NIL

<i>Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The Forward Plan is published on the County Council's website.</i>
<i>Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.</i>
<i>Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.</i>

Membership
Councillors J Hart (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons
Cabinet Member Remits
Councillors Hart (Policy, Corporate and Asset Management), Barker (Resources), Croad (Community, Public Health, Transportation & Environmental Services), Davis (Infrastructure Development & Waste), R Gilbert (Economy & Skills) S Hughes (Highway Management), Leadbetter (Adult Social Care & Health Services), McInnes (Children's Services & Schools) and Parsons (Organisational Development & Digital Transformation)
Declaration of Interests
Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.
Access to Information
Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background Papers relating to any item on this agenda should contact Karen Strahan, 01392 382264. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.
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.
Questions to the Cabinet / Public Participation
A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility. Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. The name of the person asking the question will be recorded in the minutes. For further information please contact Karen Strahan on 01392 382264 or look at our website
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

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

Walking and Cycling Facilities

County Hall is a pleasant twenty minute walk from Exeter City Centre. Exeter is also one of six National Cycle demonstration towns and has an excellent network of dedicated cycle routes – a map can be found at: <https://new.devon.gov.uk/travel/cycle/>. Cycle stands are outside County Hall Main Reception and Lucombe House

Access to County Hall and Public Transport Links

Bus Services K, J, T and S operate from the High Street to County Hall (Topsham Road). To return to the High Street use Services K, J, T and R. Local Services to and from Dawlish, Teignmouth, Newton Abbot, Exmouth, Plymouth and Torbay all stop in Barrack Road which is a 5 minute walk from County Hall. Park and Ride Services operate from Sowton, Marsh Barton and Honiton Road with bus services direct to the High Street.

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).

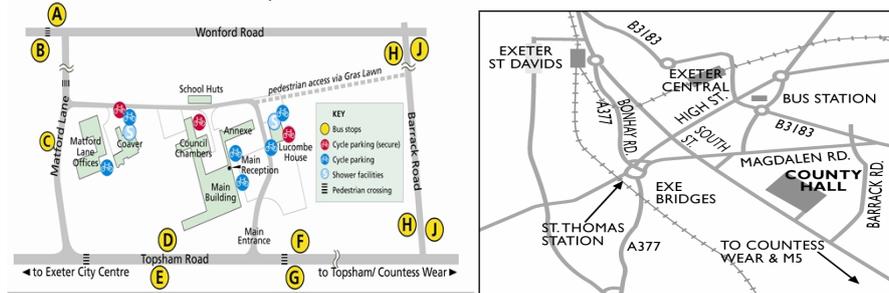
Car Sharing

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   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.