

CABINET

13 November 2019

Present:-

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

Apologies:-

Councillors S Barker

Members attending in accordance with Standing Order 25

Councillor A Connett, A Dewhirst, B Greenslade and R Hannaford.

* 416

Minutes

RESOLVED that the minutes of the meeting held on 9 October 2019 be signed as a correct record.

* 417

Items Requiring Urgent Attention

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

The Chair advised the Cabinet there would be an item to be added to the Forward Plan for the December meeting relating to Exeter Science Park (Part 2). The Forward Plan would be republished to reflect this addition.

* 418

Announcements

The Chair welcomed Mrs Mayes who was attending the meeting in her capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

* 419

Petitions

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

* 420

Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the relevant Cabinet Member responded to two questions from a Member of the Council on the Children's Burial Fund and a new Government scheme, the Jack and Jill childcare investigation, any affected families and relevant help, support and advice offered by the County Council.

The Cabinet Member responded orally to supplementary questions arising from the above.

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

KEY DECISION

* 421 Budget Monitoring - Month 6

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

The Cabinet considered the Report of the County Treasurer (CT/19/106) on the budget monitoring position at Month 6, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report highlighted that the total projected overspend at month 6 was £5.3 millions which was £1 million more than the £4.3 millions forecast at month 4. This assumed that planned contributions to reserves of £8 millions were not made this financial year; without this adjustment the overspend on General Fund services would be £13.3 millions.

Also, the Dedicated Schools Grant funding shortfall relating to Special Educational Needs and Disabilities (SEND) had increased by £2.9 millions to £18.7 millions. As in month 4 it was proposed this was not dealt with this financial year but was carried forward to future years, the proposal being outlined in full in section 3 of the Report.

Adult Care and Health Services were forecast to overspend by £6.7 millions which included £890,000 of management actions yet to be delivered but which were still considered achievable.

Children's Services were forecasting an overspending of £6.6 millions (excluding the projected funding shortfall on SEND as outlined above). The Report gave a further breakdown on Children's Social Care, placements, Atkinson Secure Children's home, Education and Learning and SEND.

Highways, Infrastructure Development and Waste was forecasting an underspend of £402,000 at month 6, a reduction of £138,000 from month 4. Communities, Public Health, Environment and Prosperity (COPHEP) were forecasting a small underspend of £4,000, Corporate Services an overspend of £2.3 millions (a reduction of £548,000 from month 4), Digital Transformation and Business Support an overspend of £300,000 and County Solicitor and Human Resources were forecasting a pressure of £300,000, the majority of which related to delays in the implementation of the new payroll system.

Non-service items were forecast to underspend by £9.9 millions, to be achieved by not making the planned £3 millions transfer to the budget management reserve or the planned £5 millions contribution to the service transformation reserve this year.

The approved capital programme for the Council was £150.4 millions and the year-end forecast £124.8 millions, producing forecast slippage of £25.6 millions. The main areas of slippage were attributed to variations and programme delays in Planning and Transportation (£18.3 millions net slippage) which reflected the complexity of the major schemes.

In summary, the projected overspend had worsened slightly from month 4. Adult and Children's Social Care continued to experience ongoing pressure along with the School's Transport service. The funding shortfall within the Dedicated School's Grant SEND High Needs Block continued to be a concern both for the current year and into the future.

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

it was **MOVED** by Councillor McInnes, **SECONDED** by Councillor Hart, and
RESOLVED that the budget monitoring forecast position at month 6 be noted.

MATTERS REFERRED

422

Notice(s) of Motion

(a) Climate Emergency and the Inclusion of Ecological Emergency

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

That DCC amends the Declaration of a Climate Emergency to include an Ecological Emergency'.

Members considered the Officer's factual briefing note on the matter (CSO/19/25) which referred to the increased ambition of the Climate Change Strategy and Corporate Energy Policy, the facilitation of stronger Devon-wide action through collaboration at a strategic, community and individual level, the establishment of the Devon Climate Emergency Response Group (DCERG) and how environmental and ecological issues were addressed, its terms of reference and the reference to the broader ecological crisis (or biodiversity crisis) and the role of the Tactical Group and the Climate Impacts Group.

The Chief Executive commented that the terms of reference would be amended to reflect the broader ecological crisis and, as outlined in the Report, all appropriate opportunities would be taken to address issues in a manner which supported both climate change and ecological objectives.

The Cabinet considered the recommendation now proposed and the actions already undertaken and all other relevant factors (e.g. financial, environmental, risk management and equality and legal considerations and Public Health impact):

it was **MOVED** by Councillor Hart, **SECONDED** by Councillor Croad, and

RESOLVED that Council be advised that no further action need be taken, given that agreement on this issue has already been reached through the Devon Climate Emergency Response Group.

(b) Reconsideration of Dates for Carbon Neutrality

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

'In response to the recent Climate & ecological Emergency protests, this Council will reconsider its date for becoming carbon neutral from 2050 to a revised date of 2025'.

Members considered the Officer's factual briefing note on the matter (CSO/19/25) which referred to the work of the Council in setting shorter-term targets for significantly reducing its own carbon footprint and the recommendation to Council (for 5th December 2019) aiming to achieve carbon neutrality by 2030. The briefing note also referred to the establishment of the Devon Climate Emergency Response Group (DCERG) and the NetZero Task Force to develop the Plan which would, collaboratively, set a credible and challenging date for Devon to achieve carbon neutrality.

The Cabinet considered the recommendation now before them and actions already undertaken and all other relevant factors (e.g. financial, environmental, risk management and equality and legal considerations and Public Health impact):

it was **MOVED** by Councillor Hart, **SECONDED** by Councillor Croad, and

RESOLVED that the Council ratifies the target date, recently endorsed by Cabinet, of 2030 for this authority to achieve carbon neutrality and, through its role in the Devon Climate Emergency Response Group, encourages the Net-Zero Task Force to be ambitious in its drafting of the Devon Carbon Plan.

STANDING ITEMS

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

In accordance with the Council's Public Participation Rules, the relevant Cabinet Members responded to nine questions from members of the public on the future 5G rollout in Devon and reliance on PHE / ICNIRP guidance, the date of the forthcoming Scrutiny review, peer reviewed studies on EMF radiation and precautions for public safety, Members of the Cabinet undertaking their own research into the health implications of exposure to EMF radiation and a summary of scientific research, independent research read about 5G and safety to humans, broadband connectivity, 5G and alternative schemes including pilots, assurances regarding health, 5G and EMF's and individual research, information supplied by PHE and independent scrutiny and potential bias of PHE, the commitment of the Devon Climate Declaration to divest from fossil fuels and how this might be achieved and why the Council had to take advice from the United Nations.

A copy of the questions would be sent to those who were not present at the meeting.

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

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

* **424** **Minutes**

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

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

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

Devon Authorities Strategic Waste Committee - 17th October 2019
Devon Audit Partnership Committee - 11th November 2019

* **425** **Forward Plan**

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

In accordance with the Council's Constitution, the Cabinet reviewed the Forward Plan and determined those items of business to be defined as key and framework decisions and included in the Plan from the date of this meeting onwards reflecting the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (at <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0>) including an additional item 'Exeter Science Park Ltd – Financial Guarantee' (Part 2).

NOTES:

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

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

The Meeting started at 10.30 am and finished at 11.32 am