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To: The Chair and Members of the  
Cabinet

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

(See below)

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Your ref :  
Our ref :

Date : 30 June 2020  
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk  
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## **CABINET**

Wednesday, 8th July, 2020

A meeting of the Cabinet is to be held on the above date at 10.30 am to consider the following matters. This will be a virtual meeting, for the joining instructions please contact the Clerk for further details on attendance and / or public participation.

P NORREY  
Chief Executive

## **AGENDA**

### **PART I - OPEN COMMITTEE**

1 Meetings Procedures and Etiquette

The Head of Democratic Services to present.

2 Apologies for Absence

3 Items Requiring Urgent Attention

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

4 Minutes

Minutes of the meeting held on 13 May 2020 (previously circulated).

- 5 Announcements
- 6 Petitions
- 7 Question(s) from Members of the Council

**FRAMEWORK DECISION**

NIL

**KEY DECISIONS**

- 8 Approval to Revenue & Capital Outturn 2019/2020 (Pages 1 - 34)
- Report of the County Treasurer (CT/20/48) highlighting the outturn position for 2019/2020, attached.
- Electoral Divisions(s): All Divisions*
- 9 Proposals for Additional Highway Maintenance Capital Allocation 2020-21 - Pothole Fund - Budget 2020 (Pages 35 - 42)
- Report of the Chief Officer for Highways, Infrastructure, Development and Waste (HIW/20/23) on proposals for additional Highway Maintenance Capital Allocation 2020-21 (Pothole Fund), attached.
- Electoral Divisions(s): All Divisions*
- 10 A Gateway to Northern Devon - A361/A39 North Devon Link Road South Molton to Bideford Approval to Proceed with submission of Full Business Case, Tender Award & Construction (Pages 43 - 68)
- Report of the Head of Planning, Transportation and Environment (PTE/20/11) seeking approval to proceed with submission of Final Business Case, Tender Award & Construction for the A361/A39 North Devon Link Road South Molton to Bideford, attached.
- An Impact Assessment is also attached for the attention of Members at this meeting.
- Electoral Divisions(s): Barnstaple North; Barnstaple South; Bideford East; Bideford West & Hartland; Chulmleigh & Landkey; Fremington Rural; South Molton; Tiverton East; Tiverton West; Willand & Uffculme*
- 11 Learner Services Contract Extension (Pages 69 - 74)
- Report of the Head of Education and Learning seeking approval to extend the Learner Services Contract, attached.
- Electoral Divisions(s): All Divisions*
- 12 SEND Sustainability of Statutory Duties (Pages 75 - 84)
- Report of the Chief Officer for Childrens Services (CS/20/08) seeking approval to the SEN Business Case to ensure the sustainability of statutory SEND services during the Covid-19 recovery period and wider transformation programme, attached.
- Electoral Divisions(s): All Divisions*

## **MATTERS REFERRED**

13 Treasury Management Stewardship Outturn Report (Pages 85 - 90)

Report of the County Treasurer (CT/20/47) on the Treasury Management Stewardship Outturn, previously considered and commended to the Cabinet by the Corporate Infrastructure and Regulatory Services Scrutiny Committee held on 24<sup>th</sup> June 2020 (Minute \*180 refers), attached.

*Electoral Divisions(s): All Divisions*

14 Children's Scrutiny Committee - Special Educational Needs & Disability (SEND) Transitions Task Group (Pages 91 - 104)

At its meeting on 9<sup>th</sup> June 2020, the Children's Scrutiny Committee considered the Report of the Special Educational Needs & Disability (SEND) Transitions Task Group (Minute \*?? refers) which focussed on 'transitions', in particular: understanding the experiences of parents/carers and children and young people with a range of needs and disabilities, their journey through the system and reviewing the local area's approach to preparing for adulthood, and the support provided.

The Scrutiny Committee thanked the Chair of the Review, other Members and the Scrutiny Officer for their excellent work.

At the Children's Scrutiny Committee, both the Committee and Cabinet Member for Children's Services welcomed the report and RESOLVED that the key themes and potential areas for development contained in the Task Group report be commended to the Cabinet.

### **Recommendation**

- (a) That the Children's Scrutiny Committee be thanked for its Task Group review and associated report; and
- (b) that the relevant Cabinet Member's (Children's Services and Adult Social Care and Health Services) and Chief Officer for Children's Services and the Joint Associate Director of Commissioning be asked to take forward the Report and progress / co-ordinate progress towards the objectives identified in it, engaging other partners and community organisations as necessary.

*Electoral Divisions(s): All Divisions*

## **OTHER MATTERS**

15 COVID-19 - Response, Progress and Funding (Pages 105 - 108)

Joint Report of the County Treasurer and Chief Officer for Communities, Public Health, Environment and Prosperity (CT/20/58) giving an overview of COVID-19, progress and financial implications, attached.

*Electoral Divisions(s): All Divisions*

16 Local Outbreak Management Plan (Pages 109 - 128)

Report of the Director of Public Health (Chief Officer for Communities, Public Health, Environment and Prosperity) (PH/20/02) giving an update on the Local Outbreak Management Plan and the associated (non-statutory) governance arrangements, attached.

The Plan is also attached as an Appendix to the Report.

*Electoral Divisions(s): All Divisions*

## **STANDING ITEMS**

17 Question(s) from Members of the Public

18 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein (i.e. any unstarred minutes):

(a) Devon Education Forum - 17 June 2020 (Pages 129 - 136)

[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](#)

19 Delegated Action/Urgent Matters

The Register of Decisions taken by Members under the urgency provisions or delegated powers is available on the website in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decisions taken and associated information can be found [here](#).

20 Forward Plan (Pages 137 - 144)

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**

21 Exclusion of the Press and Public

Recommendation: that the press and public be excluded from the meeting for 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 Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of the preferred bidder or tenderers for the provision or supply of council goods or services, 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.

22 Street Lighting Term Maintenance Contract 2020 - 2030 (Pages 145 - 160)

*[An item to be considered by the Cabinet in accordance with the Cabinet Procedure Rules and Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, no representations having been received to such consideration taking place under Regulation 5(5) thereof]*

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HIW/20/24) seeking approval of the award of street lighting term maintenance contract for 2020 to 2030, attached for Members of the Cabinet.

An Impact Assessment was also available and attached for Members of the Cabinet.


*Electoral Divisions(s): All Divisions*

*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.*

*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.*

*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.*

<b>Membership</b>
Councillors J Hart (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons
<b>Cabinet Member Remits</b>
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)
<b>Declaration of Interests</b>
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.
<b>Access to Information</b>
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.
<b>Webcasting, Recording or Reporting of Meetings and Proceedings</b>
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: <a href="http://www.devoncc.public-i.tv/core/">http://www.devoncc.public-i.tv/core/</a>
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.
<b>Questions to the Cabinet / Public Participation</b>
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 <a href="#">website</a>
<b>Emergencies</b>
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.
<b>Mobile Phones</b>
Please switch off all mobile phones before entering the Committee Room or Council Chamber
<b>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 Customer Service Centre on 0345 155 1015 or email: <a href="mailto:committee@devon.gov.uk">committee@devon.gov.uk</a> or write to the Democratic and Scrutiny Secretariat in G31, County Hall, Exeter, EX2 4QD.</b>
 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).

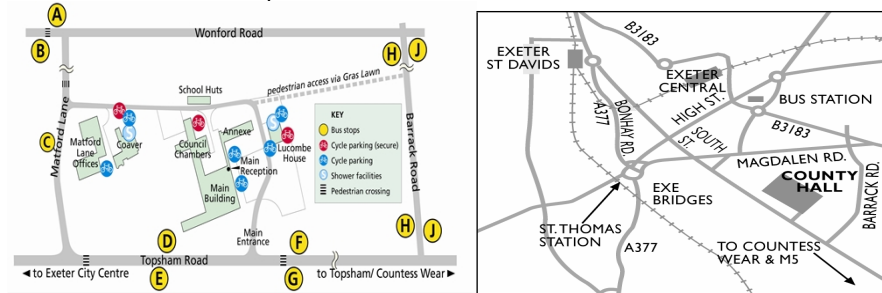
### **Car Sharing**

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.

