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To: The Chair and Members
of the Cabinet

County Hall
Topsham Road
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Date: 6 October 2020

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CABINET

Wednesday, 14th October, 2020

A virtual meeting of the Cabinet is to be held on the above date at 10.30 am to consider the following matters. To view and watch the meeting, the link will appear on the agenda page.

Phil Norrey
Chief Executive

A G E N D A

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 9 September 2020 (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 Tiverton Eastern Urban Extension (EUE) Access Junction - Phase 2 (Pages 1 - 22)

Report of the Head of Planning, Transportation and Environment (PTE/20/24) relating to Phase 2 of the Tiverton Eastern Urban (EUE) Access Junction, attached.

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

Electoral Divisions(s): Tiverton East

- 8 South West Exeter Housing Infrastructure Fund: Update on project including approval for funding, to progress relevant schemes and award tenders (Pages 23 - 52)

Report of the Head of Planning, Transportation and Environment (PTE/20/25), relating to the South West Exeter Housing Infrastructure Fund: including an update on project including approval for funding, to progress relevant schemes and award tenders, attached.

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

Electoral Divisions(s): Alphington & Cowick; Exminster & Haldon

- 9 New Okehampton Special School: Approval of Capital Funding and Commencement of the Free School Presumption Process (Pages 53 - 78)

Report of the Head of Planning, Transportation and Environment (PTE/20/26) on the approval of Capital funding and commencement of the free school presumption process for the proposed new Okehampton Special School, attached.

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

Electoral Divisions(s): All Divisions

10 Devon Economic Recovery Programme (Pages 79 - 106)

Report of the Head of Economy, Enterprise and Skills (EES/20/4) relating to Devon's Economic Recovery Programme, attached.

An Impact Assessment was also attached for the information of Members at this meeting and was available on the [Impact Assessment Webpages](#).

Electoral Divisions(s): All Divisions

11 White Paper: Planning for the Future - Implications for Devon County Council (Pages 107 - 114)

Report of the Head of Planning, Transportation and Environment (PTE/20/30) relating to the above White Paper, attached.

Electoral Divisions(s): All Divisions

12 Proposal to Merge Torbay Safeguarding Adult Board with Devon Safeguarding Adult Partnership Board (Pages 115 - 132)

Report of the Head of Service for Adult Care Operations and Health (ACOH/20/01) relating to proposals for a merger of Torbay Safeguarding Adult Board (TSAB) and Devon Safeguarding Adult Partnership (DSAP), attached.

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

Electoral Divisions(s): All Divisions

MATTERS REFERRED

13 Health and Adult Care Scrutiny - Adult Social Care Market Sufficiency Statement

In considering the Report of the Joint Associate Director of Commissioning, relating to Adult Social Care Market Sufficiency Statement (ACH/20/127), (Minute 202), the Health and Adult Care Scrutiny Committee at its meeting on 10th September 2020 had RESOLVED that the Cabinet be requested to consider and investigate the feasibility of an alternative business model(s) with a view to facilitating a pilot 'not for profit' organisation to help alleviate and address the recognised lack of domiciliary care workers in the County.

Recommendation

Cabinet recognise the potential in the proposed model suggested but the immediate priority for the county council is to secure the workforce to meet demand this winter and during the COVID pandemic. We will focus the resources of council officers in this area and look to run localised recruitment campaigns in market towns. Given Councillor Saywell's offer at scrutiny we will start in the Torrington locality and develop and roll out according to the scale of risk in each area. The role of the economy team in supporting business model development is important and we have been in contact with them and they will support the work once it commences. We thank the Committee for its interest in this matter and would be happy to reconsider the issue in the spring when the challenge of immediate winter pressures and COVID has receded.

Electoral Divisions(s): All Divisions

14 Corporate Infrastructure and Regulatory Services Scrutiny Committee - 5G
Spotlight Review update

At its meeting on 17th September 2020, the Corporate Infrastructure and regulatory Services Scrutiny Committee considered the Report of the 5G Spotlight Review (Minute *192 refers). The Committee RESOLVED that Cabinet be asked write to the Parliamentary Digital, Culture, Media and Sport Committee, with copies to the Local Government Association, Public Health England and Devon MPs, to request that this Select Committee gives consideration to the earnest concerns expressed by some residents of this County and beyond about the health and environmental impacts of 5G and supports this Government to address those concerns by providing greater reassurance and evidence to the general public that the technology is safe. If such reassurance and evidence cannot be provided, then we suggest further research is urgently undertaken.

Recommendation

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their work to date on 5G, noting specifically that the Council does not have the ability to make recommendations that affect planning policy or national guidance; and

(b) that Cabinet accept the recommendation of the Corporate Infrastructure and Regulatory Services Scrutiny Committee that it writes to the Parliamentary Digital, Culture, Media and Sport Committee, with copies to the Local Government Association, Public Health England and Devon MPs, to request that this Select Committee gives consideration to the earnest concerns expressed by some residents of this County and beyond about the health and environmental impacts of 5G and supports this Government to address those concerns by providing greater reassurance and evidence to the general public that the technology is safe.

Electoral Divisions(s): All Divisions

15 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Council Buildings - Fire Safety Review

At its meeting on 17th September, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered a Report of the Head of Digital Transformation and Business Support (minute *195 refers) which provided an update on the Council's fire safety measures and the actions taken following the Grenfell Tower fire on 14th June 2017, and the fire in the block of flats housing students from the University of Bolton in November 2019.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee RESOLVED that the Committee commend to the Cabinet the progress of work so far.

Recommendation

That the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their review of this important work and Cabinet very much welcomes the positive comments made.

Electoral Divisions(s): All Divisions

16 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Gambling Update (Pages 133 - 134)

At its meeting on 17th September, the Corporate Infrastructure and Regulatory Services Scrutiny Committee received a draft letter for the attention of Nigel Huddleston MP in relation to problem gambling (Minute *193 refers). The Committee RESOLVED that the letter be sent to the Parliamentary Under Secretary of State for Sport, Tourism and Heritage, subject to the Chair approving final amendments, and that a copy be sent to the Cabinet.

A copy is therefore attached for the information of the Cabinet.

Recommendation

That the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their innovative work in this important area, which has received national acclaim, and Cabinet welcomes and supports the contents of the letter.

Electoral Divisions(s): All Divisions

OTHER MATTERS

17 Devon Safeguarding Adults Annual Report (Pages 135 - 192)

Covering Report of the Chair of the Devon Safeguarding Adults Board, attached.
The annual Report is also attached.

Electoral Divisions(s): All Divisions

STANDING ITEMS

18 Question(s) from Members of the Public

19 Minutes

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

(a) Farms Estate Committee - 21 September (Pages 193 - 198)

[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

20 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.

21 Forward Plan (Pages 199 - 212)

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.

The Forward Plan is available on the Council's website.

Electoral Divisions(s): All Divisions

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

22 Exclusion of the Press and Public

Recommendation: that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of the a third party and of the County Council and in accordance with Section 36 of the Freedom of Information Act 2000, by virtue of the fact that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

23 Industrial Estates Development (Pages 213 - 224)

[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 Head of Economy, Enterprise and Skills (EES/20/5), attached for the Members of the Committee.

24 Skypark Development Partnership Joint Venture - Update to Proposals (Pages 225 - 242)

[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]

Joint report of the Head of Economy, Enterprise and Skills and the County Treasurer (EES/20/6), attached for Members of the Committee.

Electoral Divisions(s): Broadclyst

Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.

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Declarations of Interest for Members of the Council

It is to be noted that Members of the Council 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.

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Induction Loop available

