

## CABINET

13 October 2021

### Present:-

Councillors A Davis, R Gilbert, J Hart (Chair), S Hughes, A Leadbetter, J McInnes (Vice-Chair), A Saywell and P Twiss

### Apologies:-

Councillors R Croad

### Members attending in accordance with Standing Order 25

F Biederman, J Brazil, A Connett, A Dewhirst, R Hannaford, J Hodgson and C Whitton

*(Councillor Brazil, Hannaford and Whitton attended in person and Councillors Biederman, Connett, Dewhirst, and Hodgson attended remotely)*

\* 46

### Minutes

**RESOLVED** that the minutes of the meeting held on 8 September 2021 be signed as a correct record.

\* 47

### Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

\* 48

### Announcements

The Chair asked Councillor Davis to update the Cabinet on the recent announcement that the Dartmoor Line would open on 20 November 2021.

This meant there would be trains every two hours each way, seven days a week, between Okehampton, Crediton and Exeter St Davids, including services for daily commuters.

\* 49

### Petitions

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

\* 50

### Question(s) from Members of the Council

In accordance with the Cabinet Procedure Rules, the relevant Cabinet Member responded to six questions from a Member of the Council on the following issues:

- deployment of the army to drive HGV vehicles, ambulances and buses in Devon;
- HGV drivers from the EU invited to work in Devon;
- EU agricultural workers being invited back;
- Culling of animals on Devon's farms as a result of the post brexit shortage of butcher's and impact on the Council as a disposal authority;
- Impact of the lack of EU agricultural workers, butchers and HGV drivers on Devon's economy; and
- Medium and long-term plans to tackle the shortages of workers in Devon.

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

*[NB: A copy of the questions and answers are available on webpage for meeting and any supplementary questions and answers may be observed through the webcast of this meeting]*

\* 51 **A382 Drumbridges to Newton Abbot Major Road Network Scheme (Phase 3)**

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

(Councillors Connett and Dewhirst declared personal interests in this matter by virtue of being Members of Teignbridge District Council)

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/32) on activities associated with the preparation of the Full Business Case (FBC) for the A382 Corridor Improvement scheme from Drumbridges to Newton Abbot in a Major Road Network bid to the DfT. The Report had been 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 A382 Drumbridges to Forches Cross Major Road Network (MRN) Outline Business Case (OBC) had been given programme entry by the Department for Transport (DfT) in May 2021.

The Report sought approval to progress activities associated with the preparation of the FBC including detailed design, approval to acquire land, approval to begin advance works like planting and land acquisition mitigation measures, and approval to go to tender to confirm the scheme cost prior to submitting the FBC. Further Cabinet approval would be sought prior to the submission of the FBC and award of construction contract.

The Scheme would enable the local plan development to come forward and improve access to Newton Abbot and the A38 by improving the A382 corridor for all modes. The scheme consisted of road widening, upgrading pinch point junctions, providing new roundabouts, and a new link to the south of the corridor. The scheme also included major upgrades to walking and cycling provision.

The locations of the improvements included the Drumbridges to Trago Roundabout, Trago roundabout, Trago roundabout to Forches Cross, Forches Cross, Whitehill Cross, Whitehill Cross to West Golds Way and Whitehill Cross to Churchills.

The majority of the Scheme's funding was expected to come from a bid to the Department for Transport's Major Road Network investment programme. This total cost included a local contribution of 15% which was a requirement of the MRN funding process. This local contribution would be a combination of LTP grant, section 106/Community Infrastructure Levy (local development contributions) and South West Exeter Housing Infrastructure Fund recycled developer contributions as agreed at Cabinet on 14 October 2020 (Report PTE/20/25).

Cabinet noted that whilst the expenditure was profiled to take place in 2025/26, the majority of the contributions were not expected until 2026/27 at the earliest which had been taken into account in forward funding reporting and monitoring.

For the Planning Application, environmental considerations for the whole scheme had been assessed through an Environmental Impact Assessment. It outlined the biodiversity impacts, landscape and noise assessment and the mitigations in place. Water Environment impacts had been assessed and a detailed Surface Water Sustainable Drainage Strategy (SuDS) produced. The noise impact was expected to be neutral as well as air quality.

The Scheme would lead to positive social impacts, by benefitting all road users including bus users through improved journey time reliability and pedestrians and cyclists through the introduction of new facilities.

Further work was being undertaken as part of the production of the FBC to fully understand the carbon implications of the scheme.

An Impact Assessment accompanied the Head of Service's Report and had been circulated for the attention of Members at the meeting. It highlighted that the Scheme would have a positive impact on pedestrians and cyclists with the provision of new shared pedestrian/cycle infrastructure including paths and a bridge which would enable sustainable travel in the future to/from new and existing employment, educational and residential developments on the A382 corridor and surrounding areas. In economic terms the Scheme would facilitate travel and development which would have a beneficial impact upon the local economy by enabling employment and housing development in the area to proceed with mitigated impact.

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 Head of Service's Report and/or referred to above having been considered:

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

### **RESOLVED**

(a) that the preliminary scheme layout shown on the scheme plans (attached to the report in Appendix 1) be approved and delegated authority be given to the to the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Climate Change, Environment and Transport and relevant local member(s), to make minor amendments to the Scheme details and to progress towards a Full Business Case (FBC);

(b) that the commencement of the acquisition of land through negotiation and/or a Compulsory Purchase Order (CPO) and any associated Side Road Orders be approved;

(c) that the funding of advance works for utility diversions, land acquisition and mitigation measures of £2.469 million in 21/22 and 22/23 and £1.5 million in 23/24 be approved funded by Local Transport Plan (LTP) grant (which will be eligible for DfT grant funding, if the Scheme receives FBC approval; and

(d) that the Scheme proceed to tender and a Full Business case be prepared for submission to the Department for Transport at an estimated cost of £44.85 million of which £38.12 million will be funded by the DfT with the remaining £6.73 million funded by developer contributions and LTP grant.

*(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).*

\* **52**      **Devon County Council Proposed Bus Service Improvement Plan (BSIP)**

(Councillors Biederman, Brazil, Connett, Dewhirst, Hannaford, Hodgson and

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

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/33), which sought approval of the main principles of a Bus Service Improvement Plan (BSIP), a public consultation and proposed bid to Government. The Report had been 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.

Bus was the main form of public transport in Devon, providing services to a large range of people, many of whom had no alternative means of transport. The opportunity to bid for extra funding would provide a quantum leap in how the bus service operated in the future and the bid was the first step to engage with Government on how best to improve the current service and how it should be funded.

The Report set out the framework for the implementation of the aims and objectives of the Government's National Bus Strategy – Buses Back Better (which aimed to make buses greener, more frequent, more reliable, easier to understand and use, better co-ordinated and cheaper) and how these would be applied to the Devon through the Bus Service Improvement Plan (BSIP).

The Strategy set out a way forward for the Council and its local bus operators to work together and form an Enhanced Partnership (EP) and a timetable was included within the Report, noting that by April 2022 the EP had to be in place as new discretionary forms of funding would only be available through this mechanism.

The DfT was looking for ambitious plans to improve local bus services and the Council planned to respond with the following proposals:

- bus service improvements including improvement to rural services, evening and Sunday services, inter-urban services, Devon "Lynx" services and city and town services;
- Bus Priority i.e. significant increases in bus priority to make the bus an attractive alternative to private transport;
- Infrastructure (consideration of the whole journey and to establish a positive passenger experience);
- Fares (seeking funding to reduce fares to make travel by bus better value);
- Single network;
- Future vehicles (targets for moving towards zero emission vehicles);
- Passenger experience and the development of a Bus Passengers' Charter;
- Integrated transport;

- Community Transport and the opportunity to further develop and integrate services;
- Working with neighbouring authorities;
- Impact of COVID19; and
- links with other strategies and developments

The Head of Service's Report contained an Impact Assessment for the attention of Members. The aim of the Plan was to improve bus services and attract more people on to them. The levels of improvement would very much depend on how much money was received from Government, but the overarching aim of the Plan was to encourage bus services for everyone to use and therefore there were no unmanageable issues arising in the Impact Assessment.

The Council had remained a strong supporter of public transport and had maintained financial support over a number of years. The opportunities provided by the National Bus Strategy were welcomed and the suggested improvements set out in the Report were an ambitious opportunity to put local bus services at the heart of the future transport network and offer a real alternative to private transport.

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 Head of Service's Report and/or referred to above having been considered:

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

### **RESOLVED**

(a) that the main principles of a Bus Service Improvement Plan (BSIP) to be agreed in partnership with local bus companies be endorsed;

(b) that the forthcoming public consultation on the main recommendations within the County Council's Bus Service Improvement Plan be approved;

(c) that the proposed bid to the Government of approximately £34m per year (revenue) and with a local contribution based on the emerging allocated revenue budget for 2022/23 be approved; and in addition, approval to a bid for £7.5m capital for bus priority measures with a local contribution from the Local Transport Plan given, subject to a further review of cost and approval by the County Treasurer and the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Climate Change, Environment and Transport; and

(d) that delegated authority be given the Head of Planning, Transportation and Environment, in consultation with the Cabinet Member for Climate Change, Environment and Transport to make minor amendments to the Bus Service

Improvement Plan following the consultation and response from the Department for Transport (DfT).

*(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).*

\* 53 **Special Educational Needs and Disabilities (SEND) Capital Programme: Update and Additional Approvals**

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

The Cabinet considered the Report of the Head of Planning, Transportation and Environment (PTE/21/34), which gave an updated position on the delivery of state funded special school places across the County and sought financial approval for an existing project at Okehampton Special School and a new start project at Ace Tiverton. The Report had been 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 new school in Okehampton was due to open in September 2022 and a total budget of £8.8m had been approved. However, following a detailed analysis of tenders, there had been an identified shortfall of funding totalling £1.9m due to an increased risk element within the tender due to the volatility in the market, costs had increased including materials, a shortage of key skilled labour and changes to the developed design which had resulted in additional floor area required for the ventilation plant.

In addition, there had been a delay to the project which was now not expected to be complete until after the Spring half term in February 2023. Officers continued to work with the Trust to secure temporary accommodation to ensure the school could open in September 2022 as planned.

In relation to Ace (Tiverton), an opportunity has arisen to purchase a former adult day centre in Tiverton, adjacent to the Ace Tiverton Special School, which was complete, so there was now a need to complete the detailed design and construction necessary to provide a facility which was required for a special school building.

The Report outlined the Consultations that had taken place including the consultation in September 2020 to gain views on the new special school at Okehampton, which had also informed the specification.

The new School had been designed to reduce the energy required for both its construction and its 'in use' energy consumption. As part of the planning process, consultants had been appointed to undertake a study to understand

the environmental whole life carbon performance and its findings analysed to support the design of the building.

Two Impact Assessments had been circulated for the attention of Members at the meeting relating to strategic pupil place planning and school organisation and the establishment of a new Special School in Okehampton. The first of these highlighted that the Local Authority had a statutory duty to secure sufficient educational provision in its area, to act as champions for all parents and families and support the most vulnerable children. The second Impact Assessment outlined that the process for the selection of an appropriate proposer would ensure the Council exercised its Public Sector Equality Duty. In addition, prospective proposers would need to commit to Devon's policies and practices and be required to comply with relevant policies on Admissions, Transport and Special Educational Needs. The proposal was in line with the policies set out in the Education Infrastructure Plan in supporting sustainable, high quality provision that maximised accessibility, met local needs and recognised the needs generated by planned development in specific localities, tackled inequalities for vulnerable pupils but also recognised the needs of a changing population, employment and growth opportunities.

Investment in both schools would have a positive equalities impact for pupils requiring more flexible provision.

The Cabinet noted that the recommendations would provide an additional 130 special school places to support increasing numbers of Children and Young People with Education, Health and Care plans. The proposals would also support the plan to reduce the calls on the High Needs Block and were an essential part of reducing the funding pressures on the High Needs Block.

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 Head of Service's Report and/or referred to above having been considered:

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

### **RESOLVED**

(a) that the progress in the delivery of additional state funded Special School Places in Devon be noted;

(b) that the additional £1.9 million funding to support the revised project cost of £10.7 million for the delivery of the new Okehampton Special School and the rephasing of £800,000 from 2023-24 to 2022-23 be approved; and noting that the additional £1.9 million is to be funded from external grant which is currently within the 2021/22 Capital Programme and will be phased £280,000 in 2021/22, £1.42 million in 2022/23 and £200,000 in 2023/24; and

(c) that a new start project at Ace Tiverton Special School at a total cost of £840,000 also be approved, subject to Regional School Approval of Significant Change application.

*(NB: The Impact Assessments referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).*

\* 54 **North Devon Enterprise Centre Phase 2 - Provision of support for development**

(Councillors Biederman, Brazil and Hannaford attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Economy, Enterprise and Skills (EES/21/3) which sought approval for funding to enable Phase 2 of the North Devon Enterprise Centre to be constructed, the Report having been 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 North Devon Enterprise Centre, now known as the “Node” was a business incubation facility, supporting small business growth, located on the Council’s employment land at Roundswell South, Barnstaple.

The Council invested over £574,782 in Phase 1, along with significant match funding from the HotSW LEP and European Regional Development Fund, totalling an investment of £5.3 million. Following a successful opening in February 2021, 57% of offices had already been let, although at the meeting it was suggested the figure was higher than the 57% reported.

The proposal was for additional capital and revenue funding to match with external funding from the LEP to bring forward phase two of the Node. The LEP had indicated a minimum of £450,000 capital grant was available, subject to signing off the business case by the LEP Board in November 2021. The costs in the Report would be finalised by a tender process for a contractor using the Southern Construction Framework.

The investment would see the Node’s footprint increase by a further 26% producing 537sqm of commercial floor space and the creation of an additional 38 jobs with further business support, networking and mentoring from the operator currently managing the main building.

The aim was to have the building open in late summer 2023, subject to completing planning by January 2022 and construction beginning in early summer. This investment would support the economic recovery in northern Devon and support the ongoing sustainability of the Node, as well as providing a flagship building for the surrounding employment site.

An Impact Assessment had been also circulated for the attention of Members which highlighted that the operator of the centre was required to comply with the Council's policies on equality and diversity. The operator itself was a certified B Corp which indicated its positive approach to equality, diversity and sustainability. There were no unmanageable impacts outlined in the assessment as it indicated the impacts on the local area were positive and no negative impacts had been identified.

The Cabinet noted that the scheme would support the Council's economic recovery policies, create jobs postpandemic, provide additional workspace for local businesses, help the Node to continue to act as a flagship for the wider Roundswell South site, support the sustainability of the current operation and support economic growth in a deprived part of the County.

The match funding from the HotSW LEP meant the Scheme demonstrated good value for money and enabled the additional workspace to be available during the second half of 2023.

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 Head of Service's Report and/or referred to above having been considered:

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

### **RESOLVED**

(a) that the capital funding of up to £640,000 to enable Phase 2 of the North Devon Enterprise Centre to be constructed be approved, subject to agreeing a capital grant from the Heart of the South West Local Enterprise Partnership;

(b) that the increase in revenue funding of up to £75,000 to be met by revenue at outturn also be endorsed; and

(c) that delegated authority be given to the Head of Economy Enterprise and Skills, in consultation with the County Treasurer and the Cabinet Member for Economic Recovery and Skills, to agree the capital grant funding with the LEP.

*(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).*

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

The Cabinet considered the Report of the Head of Adult Care Operations and Health (ACOH/21/01) seeking approval for funding for new Advanced Practitioner roles in Adult Social Care, the Report having been 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 Cabinet noted that both Social Work and Occupational Therapy had capability frameworks that described the knowledge, skills and abilities expected at different points in the career pathway. However, Devon had not fully implemented either pathway at this point. The Council had a statutory duty to protect Adults at risk in Devon as well as cope with rising demand and levels of complexity of social care work and ensure an appropriate skill mix, therefore Adult Social Care had identified the need for skilled Advanced Practitioners. This would provide a vital level of practice expertise, leadership, and capacity to support with safeguarding and other statutory work.

The Report explained the work around the career pathway for Qualified Registered Social Workers and Qualified Registered Occupational Therapists. It provided the evidence of changes to demand, capacity, and nature of the work in Adult Social Care and outlined the options explored and proposed a recommended approach relating to the introduction of new Social Work and Occupational Therapy Advanced Practitioner Roles in Adults Services.

The Cabinet noted the importance of a career pathway as well as having a permanent and stable workforce. The Council had seen a rapid decline in the number of qualified Social Workers and Occupational Therapists applying for permanent posts. A first phase of a career pathway had been implemented, but this second phase was crucial to embedding the full pathway.

Section 2 of the Report outlined the changes in demand and nature of the work, including graph 1 which showed that Safeguarding concerns had increased by 33% in a year (1540 more concerns raised than the previous year) and graph 2 which demonstrated the increase in cases on waiting lists since April 2020.

A series of options had been considered and were outlined in section 4 of the Report, although the recommended approach was option 3 and the Report outlined the impact of the new roles and the recommended career progression pathway for Social Worker and Occupational Therapists. Option 3 included introducing 3 Advanced Practitioner Social Worker roles (into 3 teams) and 1 Advanced Practitioner Occupational Therapy role (covering the Eastern system) which required an investment of £56,206 in 2021/22 and ongoing investment of £224,824 from 2022/23. However, table 1 outlined the estimated cost(s) of each option explored.

In summary, the introduction of the Advanced Practitioner role into Adult Social Care would provide professional leadership and supervision/appraisal of staff, working in partnership with the manager, staff, and others, contributing to an effective and efficient service, support the Team Manager on day-to-day operational issues, provide a lead professional role in the team, supporting the development of good evidenced based practice and enable co-working on complex cases with less experienced workers to ensure quality and consistency and to develop professional practice.

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 Head of Service's Report and/or referred to above having been considered:

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

**RESOLVED** that the funding be approved for new Advanced Practitioner roles in Adult Social Care to support statutory work, reduce pressure at a time of increased demand and complexity and provide a career pathway for Social Workers and Occupational Therapists in Devon (see Option 3 as outlined in sections 4 and 6 of the Report).

\* **56**      **Domestic Abuse Act 2021: Delivery of the Council's statutory duty under Part 4**

(Councillors Biederman, Brazil, Dewhirst, Hannaford, Hodgson and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered Report of the Head of Communities (SC/21/3) which provided an outline of the New Statutory Duties on Local Authorities arising from the Domestic Abuse Act 2021 and a proposed Strategy, the Report having been 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 Domestic Abuse Act 2021 came into force on 29 April 2021 and included a wide range of provisions intended to raise awareness and understanding about the devastating impact of domestic abuse on victims and their families. The Act placed a duty on upper tier local authorities in England to provide accommodation-based support to victims of domestic abuse and their children in refuges and other safe accommodation. In order to deliver this, upper tier authorities had to carry out a needs assessment and develop and publish a strategy by the end of October 2021. Local Authorities also had to create a Domestic Abuse Local Partnership Board with a minimum representative membership, as set out in the Act. The role of the Partnership Board was to support and advise the Local Authority in the delivery of the duty. The Cabinet noted that the Board was not an executive or decision-making body.

Local Authorities must also monitor and evaluate the effectiveness of the Strategy and report back annually to Government.

The Council had formed a Domestic Abuse Local Partnership Board with broad representation that went beyond that required by the Act. It was chaired by the Head of Safeguarding for NHS Devon Clinical Commissioning Group and Membership was outlined in the Report.

The Council had carried out a needs assessment and the findings had been included in the draft Strategy. The Strategy identified eight outcomes that it aimed to deliver, with specific objectives linked to each outcome.

The challenge to the delivery of the Strategy was the acute shortage within Devon of accommodation and housing that fell within the legislation's definition of "safe accommodation". The duty however explicitly excluded temporary accommodation with shared facilities. Devon had only 41 bed spaces of safe accommodation and all were the product of local housing or domestic abuse organisations establishing and maintaining the provision independently.

The Government had allocated £125 million New Burdens funding to local authorities, to cover the costs of the new duty to provide support in safe accommodation for 2021-22. The funding allocated to Devon County Council in 2021/22 was £1.4m.

The Cabinet noted that the Council had for many years delivered or commissioned a county-wide domestic abuse service, even when there had been no statutory duty or designated government funding.

The Report outlined the consultations that had taken place as well as presenting the draft strategy to the Corporate, Infrastructure and Regulatory Services Scrutiny Committee on the 23rd September 2021. The Scrutiny Committee had RESOLVED that the Report be commended to Cabinet, subject to (a) Devon County Council be asked to sign up to the employer's initiative on domestic abuse, and encourage partners to do the same; and (b) Outcome 2 objectives refer to needing a multi-agency approach that should specifically include employers and trade unions.

In response, the Report outlined the objective supporting Outcome 2 had been amended in line with recommendation of the Committee, but that further consideration was required on signing up to 'the employers initiative on domestic abuse'. It was suggested that the lead Cabinet Member, Member champions and key officers consider the implications more fully, however, it would be the initial intention to pursue the initiative, subject to assessing the impacts on both the Strategy and the wider Council.

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 Head of Service's Report and/or referred to above having been considered:

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

**RESOLVED**

(a) that the draft Strategy for Domestic Abuse Support in Safe Accommodation in Devon 2021 be approved; and

(b) that delegated authority be given to the Head of Communities, in consultation with the Cabinet Member for Public Health, Communities and Equality, to implement the Strategy, including reporting to Government.

\* **57**      **Property Consultancy and Facilities Management Service Model**

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

The Cabinet considered the Report of the Head of Digital Transformation and Business Support on proposals for the future delivery model of property consultancy, facilities management, catering and cleaning services, 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 Council's Joint Venture (JV) partnerships for Property Consultancy, Facilities Management (FM) Catering and Cleaning ran until March 2022.

The Cabinet noted that a comprehensive delivery model appraisal process had been undertaken and a Management Board convened to consider the most appropriate future delivery model for these services. This led to recommendations as to the best future delivery model to fulfil the Council's requirements, and detailed contractual proposals had been negotiated for the prospective future service.

Workgroups for the review process had been formed which had included wide research and broad consultation including Member focus sessions which led to a choice of two service model options:

- Option A: Integrated service model which drew together the Council's two Joint Ventures with Norse Group, into one Property Services and Facilities Management solution (including catering and cleaning for schools and others).
- Option B: A disaggregated model with individual services competed from multiple different providers each individually commissioned and managed.

The Management Board (comprised of the Head of Digital Transformation and Business Support, County Solicitor, County Treasurer and Chief Officer for Highways, Infrastructure and Waste, with the Digital Transformation Portfolio Holder and other workgroup leads) reviewed the options and recommended that option A became the preferred model, creating one partnership vehicle enabling complementary services to be brought together under a single remit and build on expertise developed to date.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee had at its meeting on 23 September 2021 received a Report on the same (minute 8 referred) and had RESOLVED that the Report and actions taken be commended to Cabinet, subject to an additional part of the Report detailing the composition of the Liaison Board and required skills of the Board Directors, and how recruitment would be undertaken.

In response, the Report (para 3.15) outlined that the process for appointment of Councillors to the Joint Venture Board would be in line with the Council's Constitution and the usual process for appointments to outside bodies.

In addition, the Report included some of the skills and traits required of the Officers and Members of the Board, which would assist in the appointment process and also a visual at Appendix one which illustrated how the Governance and Performance Management fitted together.

The Head of Service's Report incorporated an Impact Assessment. This highlighted that the Service should largely be seamless and for service users, staff and communities it would very substantively continue as 'business as usual' but with the benefits of integration and improved multi-disciplinary working. There were no foreseeable diversity or equality impacts.

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 Head of Service's Report and/or referred to above having been considered:

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

**RESOLVED** that the establishment of a Joint Venture service model to contract for the provision of property consultancy, facilities management, cleaning and catering services be agreed, and that the Joint Venture (between Devon County Council and Norse Group) be awarded a service contract starting 1 April 2022, for an initial 5 year period plus DCC extension options of 3+2 years.

*(NB: The Impact Assessment referred to above may be viewed alongside Minutes of this meeting and may also be available on the [Impact Assessment Webpages](#)).*

\* **58**     **Adult Care and Health Market Sufficiency Statement**

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

The Cabinet considered the Report of the Locality Director (Care and Health) (ACH/21/135) relating to the sufficiency of the adult care and health provider market in 2021, the Report having been 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.

Whilst the purpose of the Report was to update Cabinet on the sufficiency of the adult care and health provider market in 2021, it identified the most significant market sufficiency issues, including the impact of Covid-19, and outlined actions underway to support and develop the market.

In terms of an overview, the adult care and health market was fragile and challenged due to the ongoing impacts of the Covid-19 pandemic and uncertainty linked to Brexit. Market issues that were present prior to the pandemic had been exacerbated and some risks might not be fully understood for many months.

There remained a strong partnership between the Council, the NHS and independent sector providers, which was critical to ensuring that the Council continued to meet people's needs and fulfil its statutory duty to ensure a sufficient care market (Care Act 2014). There were a range of immediate operational and long-term structural impacts on the sufficiency of the adult care and health market. These were summarised below, with a more detailed overview for each market sector in section 4 of the Report.

- Business Resilience – providers facing long-term sustainability issues;
- Workforce pay and conditions, and increasing vacancy rates; and
- Increasing complexity of need, changing demands and fragile carers

Section 3 of the Report outlined some of the actions to address market sufficiency issues. There were a number of short to medium term actions underway to support providers, summarised below, but detailed project plans, with associated milestones and timeframes for each of these actions were in train, with Section 4 of the Report providing more detail on the issues relating to each sector of the market.

- Care Homes - including a care home fee model review, development of specialist dementia and complex care solutions with partners and a review of capacity of care homes for people under 65 with complex needs;
- Personal Care – including implementing new models to meet care needs, consideration of incentives to the workforce, use of agency staff

from outside the County to backfill shortages in the short term and the potential of a Teckal to support the market;

- Housing with Support – develop a specification and pricing structure under a new contract, stimulate targeted development of housing, develop short-term crisis support for people with complex needs to enable them to live in their community;
- Day service - including developing outreach hubs, use of private dwellings, and test new solutions learning from innovations developed in the pandemic;
- Enabling - improve market oversight and data for monitoring, new contracting arrangements and support workforce recruitment and retention.
- Replacement care - including identifying quick wins for carers support, based on need and develop commissioning strategy to achieve ambitions; and
- Workforce (LoveCare programme) - immediate actions with the NHS were being developed to improve career pathways, recruit overseas nurses and develop a bank of temporary staff to help cover gaps, celebrate and value the workforce through Proud To Care and the Appreciative Inquiry (December) and develop an Integrated Workforce Strategy across the Integrated Care System (Oct).

Alongside these actions, the four key areas of development required to support the market over the longer-term were highlighted below. Workplans with associated timeframes were in place to deliver these key areas.

- Improve workforce recruitment/development through the LoveCare campaign;
- Improve responses and solutions to people with more complex needs;
- Work with providers and District Councils to increase the range of good quality homes across Devon; and
- Develop new and innovative models of service delivery.

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 Locality Directors Report and/or referred to above having been considered:

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

**RESOLVED**

(a) that the financial risks associated with the impacts of Covid-19 on the adult social care market be noted and also taken into account as part of budget preparation;

(b) that the actions being taken to tackle the market sufficiency issues be endorsed; and

(c) that the Market Position Statement be updated to reflect the Report including detail related to the relevant sectors.

\* **59**      **Question(s) from Members of the Public**

There was no question from a Member of the public.

\* **60**      **Minutes**

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:

Farms Estate (Interviewing) Committee – 31 August 2021

Farms Estate Committee – 27 September 2021

Farms Estate (Interviewing) Committee – 27 September 2021

\* **61**      **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members under the urgency provisions or delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [Decisions taken by Officers](#) under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution.

\* **62**      **Forward Plan**

Councillors Brazil and Hodgson 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.

The Cabinet noted the following additions since the agenda had been published.

- The Future of North Devon link Service – November 2021
- A progress update on Newton Abbot 20mph Pilot (not key decision) – November 2021
- A Framework for the prioritisation of 20 mph Projects – December 2021
- Contract Extension for the Children’s Fostering Framework – December 2021.

**NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 10.30 am and finished at 12.33 pm