



**QUESTIONS TO THE
LEADER OF THE COUNCIL, CABINET MEMBERS
AND/OR
CHAIRMEN OF COMMITTEES**

Thursday 4 October 2018

**1. QUESTION FROM COUNCILLOR G HOOK
Re: School Clearways**

The Teignbridge HATOC (26/07/18) approved making the existing advisory School Clearways outside Haytor View Primary School in my ward (Newton Abbot South) mandatory. The reason given was to improve road safety. As local member I strongly supported this proposal. Does the Cabinet Member not agree with me that all Devon Schools should have similar road safety measures in place? Will he join with me in supporting such action county wide? If so, what does he propose to do to advance this child safety measure? If not, why not?

REPLY BY COUNCILLOR HUGHES

School "Keep Clear" markings have been applied to make access to schools safe for highway users, including parents and students, at a significant number of schools across the County. The vast majority of these markings are well respected, however in some instances, such as Haytor View Primary School, there is a need to make the restriction "mandatory" as you describe to allow our parking enforcement team to assist in maintaining safe access to the school. Conversion to mandatory status requires a Traffic Regulation Order and additional signing, which have associated costs in terms of staff time and draw on available budgets.

Having discussed with Officers I do not feel that taking a blanket Countywide approach to change all existing markings to mandatory status is necessary, each location should be considered on its own merits and needs. Therefore, if Members wish to see specific locations changed to mandatory status after more informal routes have been exhausted, for example schools raising issues with parents directly through newsletters, then Members may wish to include sites in their list of schemes for HATOC waiting restriction review consideration.

**2. QUESTION FROM COUNCILLOR SHAW
Re: Effect of Brexit on Devon's communities, environment and businesses**

Will the Leader follow the example of Plymouth City Council and use the Sustainable Communities Act 2007, which allows local authorities to ask central government to remove legislative or other barriers to the improvement of the economic, social and environmental well-being of their area, to ask the Government to provide all government departmental information and analysis pertaining to the effect of Brexit on Devon's communities, environment and businesses?

REPLY BY COUNCILLOR HART

There are significant uncertainties and potential impacts associated with the UK's exit from the European Union. The Government is entering the final negotiation phase with the EU on the terms of the withdrawal agreement. There is the possibility that if the government's negotiations are not successful or if withdrawal treaty is not ratified by the UK Parliament and/or the European Parliament then the UK will leave the EU without a deal.

The economic, environmental and social impacts, both positive and negative, will be felt across the County, the South West and UK as a whole. The Heart of the South West Joint Committee is due to consider risks and uncertainties at its meeting on 5th October 2018. The Council is working with the Local Government Association and the County Councils Network to provide information on potential impacts on the Council and maintain links with Government Departments.

The Sustainable Communities Act 2007 provides for local authorities to make proposals to central government which they consider would contribute to promoting the sustainability of local communities. Plymouth City Council has used this power to request the "immediate receipt by Plymouth City Council of all government departmental information and analysis pertaining to the impacts upon Plymouth's communities and businesses of the UK's withdrawal from the European Union, including any information deemed by the government to be confidential." This appears to be a novel use of the legislation: press reporting suggests that Plymouth City Council is the first local authority to use the power in this way. The Government is yet to respond to the request. I propose that we wait to see the outcome of Plymouth's request before judging whether that is the most effective way of engaging with the Government on this important issue.

3. QUESTION FROM COUNCILLOR SHAW

Re: Emergency Planning and Brexit

Will the Leader inform Council what he has done or proposes to do, given the Council's responsibility for coordinating emergency planning, to prepare in conjunction with other authorities for the danger of a 'no deal' Brexit in March 2019?

REPLY BY COUNCILLOR HART

The Chief Executive chairs the Heart of the South West Brexit group which has been undertaking work into the impact of Brexit on various sectors of the economy and monitoring business confidence for the past two years. The Group are also working with the LGA, contributing to its Brexit Commission.

As for contingency and emergency planning, it is very difficult to know what contingency the Council is planning for at the end of transition period in December 2020. When this has become clearer the Council will make whatever plans, including business continuity plans, that are required.

Discussions have started with partners in the Local Resilience Forum (LRF) which includes all the partners from across Devon, Cornwall and the Isles of Scilly, including all the local authorities, the blue light services, and health. Guidance will be available from the Ministry of Housing, Communities and Local Government and the subject will also be on the agenda at a national meeting of all LRF Chairs. An exercise for LRFs is being developed and Devon will play its part in this exercise to ensure that the challenges are fully understood and that appropriate planning is in place.

Brexit is now a standing item on the regular meetings of the Devon Emergency Planning Service, and the opportunity will be taken to share information and plans to ensure that Devon is well placed to respond to whatever consequences there are to the outcome of the Brexit negotiations.

4. QUESTION FROM COUNCILLOR G HOOK

Re: Disabled Bays

Can the Cabinet Member confirm that DCC Highways contractor re-marks disabled bays without checking if the bay is still required by the original recipient? It is reported to me that some of those originally seeking the provision of such a parking facility have died, and in some cases died some years ago. Does the Cabinet Member agree with me that this policy should be reviewed as the current situation is wasting public money? Will he therefore instigate such a review as a matter of some urgency, before more public money is wasted?"

REPLY BY COUNCILLOR HUGHES

Where Disabled Bays have been provided they are not allocated to a specific person or for the sole use of a person, but are provided for any blue badge holders to use in the area. As such DCC do not routinely check that the bay is still required by the original applicant, before issuing an order to a contractor for re-marking. We do however respond to requests from individuals to carry out reviews of the need for disabled bays in an area when the question of the original applicant having moved on is brought to our attention and this has been found to be the most effective way of managing the provision of disabled bays.

5. QUESTION FROM COUNCILLOR HANNAFORD

Re: Holiday Hunger and Council Website

Can the Cabinet Member please provide an update about the public's interaction with the information on the Council's website regarding holiday hunger during the recent summer holidays?

REPLY BY COUNCILLOR MCINNES

From the period 23 July to 2 September (over the summer holidays) the webpage <http://www.devonhealthandwellbeing.org.uk/library/schools/food-poverty-and-schools/free-or-low-cost-food-during-summer-holidays-2018/> was viewed 211 times.

6. QUESTION FROM COUNCILLOR HANNAFORD

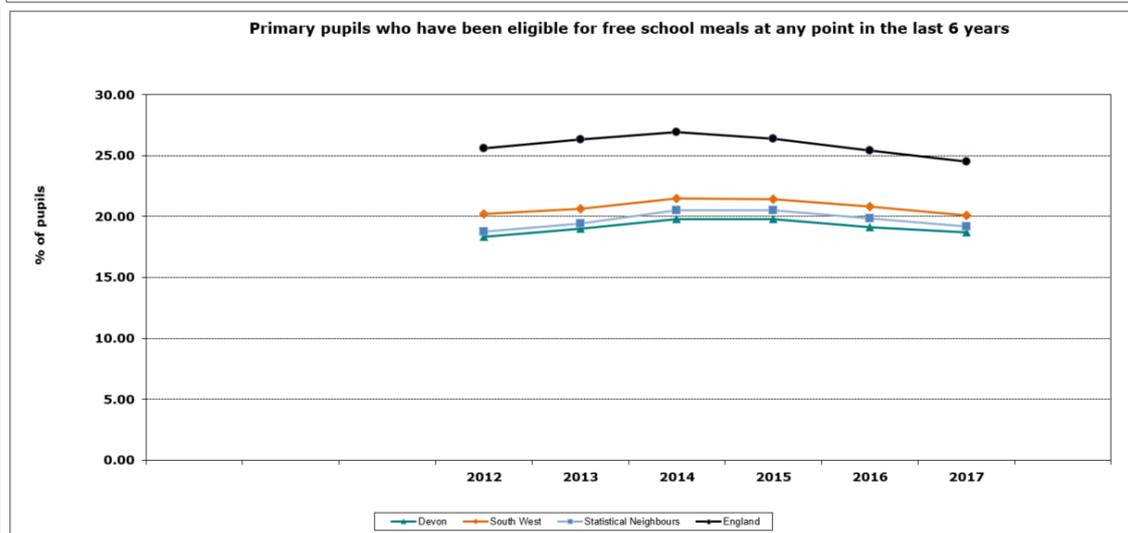
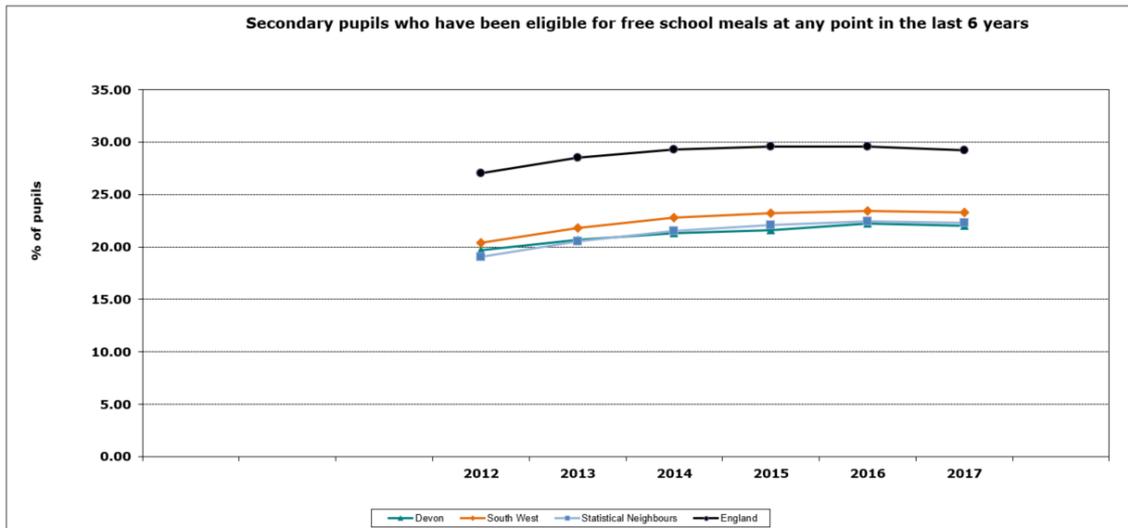
Re: Number of Children affected by holiday hunger

Does the Council know how many children in Devon are affected by holiday hunger?

REPLY BY COUNCILLOR MCINNES

Data held by Education in relation to Holiday Hunger is limited to records of children in receipt of Free School Meals however we hope the below information is helpful.

Devon has a lower number of children eligible for and claiming free school meals than that seen nationally, or within the South West at both secondary and primary school level.



These statistics do however mask some areas of high deprivation as outlined in the National state of the Nation report.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662744/State_of_the_Nation_2017 - Social Mobility in Great Britain.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/662744/State_of_the_Nation_2017_-_Social_Mobility_in_Great_Britain.pdf))

To support those families in need over the summer the Public Health team collated information on where families could get free or low cost food onto a searchable webpage.

<http://www.devonhealthandwellbeing.org.uk/library/schools/food-poverty-and-schools/free-or-low-cost-food-during-summer-holidays-2018/>

The link was widely circulated to schools, via DAPH and DASH newsletters and to all Children's Centres, the Public Health Nursing Service and the School Communications Website.

More information on the issue of food poverty is also available here:

<http://www.devonhealthandwellbeing.org.uk/jsna/overview/archive/economy/food-poverty/>

7. QUESTION FROM COUNCILLOR HANNAFORD

Re: holiday hunger comparison with county councils

How does Devon compare with other county councils that we are benchmarked with in relation to holiday hunger?

REPLY BY COUNCILLOR MCINNES

Please see graphs as above in questions 6.

8. QUESTION FROM COUNCILLOR HANNAFORD

Re: Long term effects of holiday hunger

Have we been able to correlate how long it takes pupils after the summer holidays, who have been affected by this problem, to get back their educational attainment?

REPLY BY COUNCILLOR MCINNES

The Council does not hold data for this and cannot see a way of obtaining it.

9. QUESTION FROM COUNCILLOR HANNAFORD

Re: lobbying government re. holiday hunger

Can we work collectively with the CCN and LGA to lobby central government to look at implementing a similar scheme to that which is operated by the Welsh devolved government?

REPLY BY COUNCILLOR MCINNES

This would need significant Government funding and involvement from Communities in order to deliver this and would not be an education-based offer unless done in full consultation with schools.

10. QUESTION FROM COUNCILLOR AVES

Re: Wellbeing Hubs

How many Wellbeing Hubs are there already open in Devon and how many are there being set up now to open in the next two years plus where are they?

REPLY BY COUNCILLOR LEADBETTER

Health and well-being hubs are developing in different ways across the County as networks of statutory and voluntary services come together to support communities in different ways. Probably the best known example of a building known as a health and wellbeing hub is the one in Budleigh Salterton which was visited by Matt Hancock (Secretary of State) on 26 September and I referred to in my recent members newsletter. However this is one model and there are examples of similar arrangements around Primary Care (GP practices) and 'virtual networks' that best serve their particular community needs. The key ingredient is meaningful and effective local engagement to determine the right solution for each community.

A summary across the County is:

In the North of the County we have planning underway for 4 extended primary care teams which align GP practices and multi-disciplinary teams and One North Devon are overseeing an extensive review of health and wellbeing needs with communities, this includes the use of virtual hub sites.

In the East multi-disciplinary teams remain sited in clusters and are engaging with primary care to form extended primary care teams and facilitated “community conversations” involving local people, alongside statutory agencies, are defining wellbeing priorities based on local need and developing solutions to respond. Over the course of the next year, the output will be a co-owned and coproduced plan which may include the development of physical or virtual wellbeing hubs. Currently, there is one health and wellbeing hub in Budleigh Salterton which is managed by Westbank.

In the West of the County (Plymouth, South Hams and West Devon) Primary Care and the provider Livewell are working on integrated models of care and there are plans to rollout 12 wellbeing hubs over the next two years as part of an initiative designed to focus on prevention and make services easier to access in neighbourhoods.

In the South of the County multi-disciplinary teams are aligned to Primary Care and Health and Well-being centres are in place in Chudleigh / Teignmouth / Bovey Tracey / Ashburton & Buckfastleigh / Paignton and Dartmouth. Centres offer a range of health and wellbeing services, provided by statutory and voluntary sector organisations and local Health and Wellbeing Teams use these centres as a base from which to deliver services to the community.

11. QUESTION FROM COUNCILLOR AVES
Re: Universal Credit

What extra provision has Devon County Council put in to support those that may need advice over the roll out of Universal Credit in Devon this September?

REPLY BY COUNCILLOR HART

The County Council supports welfare claimants in general in several ways, including:

- Commissioning Libraries Unlimited who provide free wi-fi, public IT facilities and advice in libraries;*
- a core £440k grant to Citizens Advice, covering benefits and other advice;*
- the Community Impact Support Scheme (CISS) which provided grants to the social economy to mitigate challenges arising from welfare reform and wider public-sector cuts; and*
- hosting of a Devon Strategic Partnership conference focusing on the impact of welfare reform and other economic issues affecting Devon’s communities.*

Additional support specifically for the roll out of Universal Credit includes:

- membership of the Department of Work and Pensions (DWP) Vulnerable Customer Network which develops joint approaches to support the most vulnerable claimants;*

- *partnership working between DWP Work Coaches and DCC Family Intervention teams,*
- *a series of joint DWP/DCC presentations to help front line workers support families in the transition to Universal Credit;*
- *briefings about Universal Credit for specialist staff whose clients have substance misuse issues;*
- *introduction of an easy claims procedure for free school meals, which now need to be claimed directly;*
- *promotion of two Credit Unions (West Country Savings and Loans and City of Plymouth Credit Union) who offer budgeting accounts for Universal Credit claimants and*
- *together with District Councils, promotion of the Council Tax Support scheme and funding of the Extreme Hardship Fund.*

DWP has entered into a new partnership with Citizens Advice to provide advice services to Universal Credit claimants. CAB will run this developing service alongside District Councils until 31 March 2019, then they will deliver the full service solely from April 2019.

12. QUESTION FROM COUNCILLOR ATKINSON
Re: Integrated Care Provider Contract

Following two recent judicial reviews in NHS England's favour, NHS England are now consulting on lead provider integrated care models and on the draft Integrated Care Provider (ICP) Contract. The previous iteration of this draft ICP Contract was referred to as the draft Accountable Care Organisation (ACO) Contract. It has now changed the terminology to 'Integrated Care Provider' and 'Integrated Care Model'– to promote integrated service provision through a contract to be held by a single lead provider.

It is now consulting on whether to issue the ICP Contract as a formal alternative to the NHS Standard Contract for use by commissioners wishing to commission an integrated model of care for their population, subject to their proposals being reviewed by NHS England and NHS Improvement through the Integrated Support and Assurance Process (ISAP) and enabling Directions being made the Secretary of State. The consultation started on 3rd August right at the beginning of the LA and other holiday period and ends in October. It seems that Council officers and members of Cabinet were unaware of the consultation and the recent consultation event on 18th September in Exeter.

Does the council intend to:

- give all Councillors a full briefing on these proposals so as to understand how these will affect the recently adopted Devon County Council Integrated Care Partnership approach, and
- respond to the consultation setting out for instance why our approach is to be preferred to this?

REPLY BY COUNCILLOR LEADBETTER

The NHS England event held in Exeter on 18 September was a consultation on contracting arrangements for 'Integrated care providers' (ICPs). As stated in the question this may become an option to replace the existing NHS standard contract and would be for use by NHS commissioners with an ICP for NHS services in the event that a local system chose to adopt this approach. There are no current plans in Devon to use this contracting tool.

This is very different to the focus of work in Devon which is around developing an 'Integrated care system' (ICS). Developing an ICS is not the creation of a new organisation, but rather a strengthening of partnership working with health and care organisations working more closely together than ever before to the benefit of our population. The NHS Constitution and the Local Authority Constitution will remain central to all we do, meaning anyone can receive high quality NHS care, free at the point of access, whenever they need it. People will still see a GP when they need it and there will still be hospital care. Health and Care delivery models are becoming increasingly organised around the needs of individuals and not organisational boundaries. There is no change to legislation, statute or constitution.

I am proud that Devon is nationally recognised for the inclusion of local government in ICS development and that we have such strong local relationships. We will continue to keep members updated via my members newsletter and Health and Adult Care Scrutiny have various opportunities to discuss this work in its work programme including working groups, masterclasses and at Scrutiny itself. As Chair of the Health and Wellbeing Board (HWBB) I am looking at the role that the HWBB may take in governance of any integrated care system and will fully involve Scrutiny in that which also includes a joint HWBB/scrutiny workshop on 13 December.

In relation to the specific consultation referred to around the ICP contracting tool, officers will link with local NHS commissioners to contribute to any feedback provided.

**13. QUESTION FROM COUNCILLOR HODGSON
Re: Waste Landfill Site at Heathfield**

With regard to our recent approval of a detailed waste report and action plan (Cabinet 24.05.18, Full Council 24.5.18), why was there a Devon County Council Officer recommendation of conditional approval for the reopening of a landfill site at Heathfield rather than a requirement for the development of an Integrated Waste Management Facility, comprising a Materials Recovery Facility (MRF) and In-Vessel Composting (IVC) facility at this site, as this had been approved as part of the earlier planning applications on this same site in 2005 with a condition of 18 months for this to be installed?

Although the IWMF was later granted a permanent extension as part of a temporary extension to the life of the landfill up to 31st January 2018, the MRF and IVC advanced waste sorting and recycling systems have never been installed; What was the reason for this failure to comply with this important element of their planning permission? Why didn't the Council planning officers require the applicants to install the recycling facilities during the intervening years or recommend refusal of further extension to the landfill site to pressure the applicant to manage waste more efficiently and recycle rather than simply landfill this waste? It is my view that to allow applicants to not comply fully with all elements of their planning proposals and support further proposals that contravene our own waste proposals and policies to mitigate climate change makes a mockery of our role as a key policy maker.

REPLY BY COUNCILLOR BROOK

The Chief Planner's report recommended approval of the proposal to reopen the landfill facility at Heathfield as it was considered important to maintain capacity for the landfilling of waste in Devon for materials that are difficult to manage through reuse, recycling or energy recovery. Landfill capacity is also required during times when the county's two energy recovery facilities are unavailable during their maintenance periods.

The 2005 planning permission for an integrated waste management facility did include a requirement in the accompanying legal agreement for the IVC and two materials recycling facilities (MRFs) to be operational within 18 months of commencement of development and to be operated for the duration of the landfill facility. This requirement was intended to assist in achieving the reducing targets for the quantity of household waste to be disposed of through landfill.

The in-vessel composting (IVC) facility was implemented at Heathfield and managed mixed food and garden waste from south Devon. However, the trend towards separate collection of food waste and its treatment by anaerobic digestion has led to the closure of the IVC, with garden waste managed through on-farm composting.

The two MRFs approved in 2005 were to manage different waste streams, one to bulk up household dry recyclable materials from kerbside collections or civic amenity sites, with the other to cater for commercial skip waste with some limited sorting. While neither of these facilities were implemented at Heathfield, the separation and bulking up of waste for recycling has been achieved at other waste management facilities in the area, with the residual non-recyclable waste being landfilled at Heathfield. More recently, other waste operators have established a waste transfer station for the management of skip waste and a facility for the management of demolition waste and scrap metals, each occupying all or part of the areas at Heathfield originally consented for the MRF and IVC facilities.

While national and local waste policy support the management of waste through reduction, reuse, recycling and recovery in preference to disposal, it is recognised that there will remain a small proportion of residual waste that will require landfilling, and it is therefore necessary for the County Council to make provision for this. The reopened landfill facility at Heathfield will be part of a wider network of recycling and recovery facilities run by local authorities and commercial waste operators that will help to ensure that Devon's waste is managed in accordance with the waste hierarchy, and there is no reason why this infrastructure should be provided at Heathfield alongside the short-term landfill facility.

14. QUESTION FROM COUNCILLOR HODGSON
Re: District Council Planning Decisions

What role and rights do Highways officers have in modifying District Council planning decisions and conditions when further to approval these are presented as part of a formal S106 agreement for approval by Devon County Council as a party to that agreement with the planning applicant (and the District Council)? Should the South Hams District Council Ward member and / or the Devon County Council Divisional Member be informed of any such proposed modifications?

REPLY BY COUNCILLOR BROOK

Devon County Council officers have no 'rights' to modify a Local Planning Authority (LPA) planning permission. In working up highways details of consents it sometimes emerges that there are previously unknown technical, legal or procedural difficulties with schemes. If these mean a divergence from the planning permission or approved drawings DCC officers either check, or advise the applicant to check, with the LPA whether the scheme is still compliant or whether a modification to the consent is required. The local county Ward Member should be made aware of any substantive changes that may arise in their Ward. It would be the responsibility of the LPA to advise their councillors of any agreed changes.

15. QUESTION FROM COUNCILLOR ATKINSON
Re: Rail Infrastructure

Given that Network Rail has recently sold its railway arches for £1.5bn will the Council seek the support of the Peninsula Rail Task Force, and the OkeRail Group and the South West Rail All Party Parliamentary Group to lobby the Department for Transport for some of this to be used to invest in rail infrastructure in Devon such as:

- Investment in Services to Okehampton and the reinstatement of the track from Meldon Quarry to Bere Alston via Tavistock;
- Investment into re-doubling the track on the inadequate 'West of England' (Southern) main line from Exeter - Salisbury, so as to create a faster more frequent service to London Waterloo. This vital investment would also create a viable diversionary route for GWR trains via the southern route to Castle Cary and London Paddington
- Investment in the Weymouth - Castle Cary 'Heart of Wessex' line, to speed up the diversion to Paddington (Yeovil Jcn - Castle Cary), and to facilitate direct trains to Exeter from Bournemouth and Weymouth'.

REPLY BY COUNCILLOR DAVIS

It is encouraging news that Network Rail have committed to using these funds to bring much needed improvements to our railway. Through my involvement with the Peninsula Rail Task Force, the Council will continue to push for improvements that will deliver a more resilient and better connected railway with a better passenger experience for people living in Devon and the South West peninsula. In recent months the Chair of the PRTF has been meeting with MPs across the whole peninsula with the purpose of seeking support for two principal issues: making the mainline between Dawlish and Teignmouth more resilient and pushing for involvement in the national 5G pilot so that trains between London and Penzance have better Wi-Fi and mobile connectivity and passengers can be more productive on their journeys. The response from the MP briefing has been overwhelmingly positive and they are keen to support with specific actions ahead of the upcoming budget.

Earlier in the year the Rail Minister Jo Johnson responded to the Peninsula Rail Task Force's strategic rail blueprint "Closing the Gap" asking that Great Western Railway (GWR) develop proposals to trial regular services between Exeter and Okehampton, which may be delivered through the franchise process. Since then, to assist with this work, Devon County Council commissioned a feasibility study into a new railway station to the east of Okehampton and GWR are currently carrying out further investigations. We, along with OkeRail, will continue to monitor progress on this. Regarding Tavistock to Bere Alston, we are in the process of discussing with our local County Councillors the best option for the line, given the funding constraints and recognising the other significant Government rail asks for the peninsula.

The Rail Minister also made a commitment as part of their planning for the next Network Rail funding period to start development work for the diversion route between Castle Cary and Exeter along the West of England mainline. Specifically, the Department for Transport described prioritising a new passing loop to enable early delivery of more frequent trains between Axminster and Exeter. Improving the second strategic rail route remains a priority for Devon and I know that colleagues in Dorset are also pushing for improvements to the Heart of Wessex line.

16. QUESTION FROM COUNCILLOR G HOOK
Re: Air Pollution Strategy

In May 2017 the Leader answered a question re Air Pollution Strategy by saying that " we must necessarily await the results of the General Election to see how and when the strategy will be implemented by the returning Government". Has the Government now had time to make any progress re-implementing this vital policy? If so, what has happened locally?

REPLY BY COUNCILLOR CROAD

After the general election, the Government published its UK plan for tackling roadside nitrogen dioxide (NO2) concentrations in July 2017. As well as focussing on a range of national measures to reduce NO2 emissions, the plan identified 28 local authority areas with long term NO2 exceedances. In March 2018 this was supplemented with the inclusion of a further 33 local authority areas that had been identified with shorter term NO2 exceedances. All these 61 local authorities have been directed to prepare comprehensive air quality plans to tackle their NO2 emissions within a short timeframe. This plan has been supported with targeted investment by central Government.

Devon County Council (DCC) was not one of the 61 identified local authorities. But continues to work with District partners to support their air quality action plans and reduce air pollution within the eleven declared Air Quality Management Areas (AQMA's).

In June 2016 the Council's Air Quality strategy was presented to Scrutiny and a series of actions identified. Following on from this the Scrutiny Committee resolved to set up the Air Quality and Congestion Task Group. A full report was submitted to the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 12 June 2018 and this took on board both the previous Strategy and identified some further actions.

Across DCC good progress continues to be made and in some areas it is being reported that AQMA's may be reduced or revoked. Devon County Council will continue to support further improvements to improve air quality and public health.

**17. QUESTION FROM COUNCILLOR AVES
Re: Secondary School Provision**

What extra provision has Devon County Council put in place to supply enough secondary school places with the rising numbers of children of secondary school age?

REPLY BY COUNCILLOR MCINNES

Devon has been planning the growth of secondary numbers initially through liaison with the Devon Association of Headteachers and then individually with secondary schools on plans for expansion. Additional places have already been delivered in Newton Abbot and Exmouth and proposals on site in Okehampton. Further proposals are in development including projects in Exmouth, Cullompton and South Molton and discussions are ongoing with a number of other school across the county. A Free School has been approved in South West Exeter and officers are working with the Department for Education on bringing this forward in a timely manner alongside detailed discussions with schools in Exeter.