

## **CABINET – DECISION NOTICE**

8 November 2023

### Present:-

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

### Apologies:-

Councillors J Hart

### Members attending in accordance with Standing Order 25

Councillors S Aves, J Brazil, A Dewhurst, D Thomas and C Whitton

Councillor F Biederman (remote attendance)

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### **Minutes**

**RESOLVED** that the minutes of the meeting held on 11 October 2023 be signed as a correct record.

6

### **Cornwall Council's proposal to join Adopt South West**

#### **RESOLVED**

(a) that the proposal by Cornwall Council to become a full member of Adopt South West Regional Adoption Agency, hosted by Devon County Council, from 1 April 2024, be approved;

(b) that the acceptance of the statutory and legal functions relating to adoption services as set out in paragraph 8 of the Report, delegated by Cornwall Council to Devon County Council as the host authority be recommended to Council for adoption;

(c) that the Director of Children and Young People's Futures, the Director of Finance and Public Value, and the Director of Legal and Democratic Services be given delegated authority to finalise and agree a revised Inter Authority Agreement for the purposes of adding Cornwall Council to the existing shared service and updating the financial model as set out in section 7 of the Report; and

(d) that the transfer of staff under TUPE regulations from Cornwall Council to Devon County Council be approved and the Director of Children and Young People's Futures and the Director of People and Culture be given delegated authority to complete all necessary actions required to support the expansion of the adoption services by the Regional Adoption Agency to the administrative area of Cornwall Council and the Isles of Scilly.

\* 8 **Corporate, Infrastructure and Regulatory Services Committee - Call in of Mobile Library Service in Devon (Minute \*359 of the 12 July 2023)**

**RESOLVED**

(a) that Cabinet has given due consideration to the recommendations of the Corporate Infrastructure and Regulatory Services Scrutiny Committee of 28 September 2023;

(b) that the additional information provided within the Report, following the decision to cease the mobile library service at Cabinet on 12 July 2023, be noted;

(c) that recommended Option 4 be approved (replicated below);

- i. to decommission the Mobile Library vehicles and provide £25K transition support for vulnerable users;
- ii. to extend the decommissioning period to end of February 2024;
- iii. to provide an additional funding stream of £15k for community groups and parish councils to apply for small grants to facilitate local community library developments;
- iv. to create a support resource for community libraries signposting best practice; and
- v. to provide clustered networking events for parishes/community libraries to network.

\* 9 **Budget Monitoring - Month 6**

**RESOLVED**

(a) that the month 6 budget monitoring forecast position be noted;

(b) that the ongoing significant work, in line with the Sustainable and Stronger Council plan, be noted to ensure the current projected overspend is brought back in balance by year end; and

(c) that the update on the Safety Valve Intervention programme further be noted.

\* 10 **A382 Drumbridges to Newton Abbot Major Road Network Scheme (Phase 3) submission of Full Business Case, Contract Award and Construction**

**RESOLVED**

(a) that the submission of the Full Business Case for the A382 Drumbridges to Newton Abbot Major Road Network Scheme (“The Scheme”) to the Department for Transport (subject to satisfactory acquisition of the primary land areas required) be approved, with any changes agreed by the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Climate Change, Environment and Transport and Local Members for Newton Abbot North and Newton Abbot South;

(b) that the Director of Climate Change, Environment and Transport be given delegated authority to award the construction contract(s) for the works subject to project costs being within the overall budget of £56.76 million; and

(c) that the serving of compulsory purchase notices, taking possession of the land and the subsequent land acquisition together with the construction of The Scheme be approved, with any changes being agreed by the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Climate Change, Environment and Transport, subject to confirmation of Department for Transport funding.

\* 11 **School Penalty Notice Code of Conduct**

**RESOLVED** that consideration of the School Penalty Notice Code of Conduct for unauthorised irregular attendance at school or exclusion from school be deferred to the next meeting of the Cabinet.

\* 12 **South Hams Highways and Traffic Orders Committee - Site Visit A3121 Ermington (request for reduction in Speed Limit)**

**RESOLVED** that a departure from Policy, in principle, be agreed, subject to the Director for Climate Change, Environment and Transport agreeing engineering measures to encourage compliance with any new speed limit. Any engineering measures would need to be funded by the community.

\* 13 **Children's Scrutiny Committee - Children's Scrutiny Social Care Visits Report (Minute 111 of 19 September 2023)**

**RESOLVED**

(a) that the Children's Scrutiny Committee be thanked for the Report and its commitment to seek the views and feedback from frontline staff across the County; and

(b) that the recommendations of the key areas raised in the Report, which were under the remit of the Council, as part of the Council's improvement journey be accepted, and progress will be reported to a future Children's Scrutiny Committee, engaging other partners as necessary.

\* 14 **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Highways Performance Dashboard - Summer 2023 (Minute 127 of 28 September 2023)**

**RESOLVED** that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management investigate the options for reducing likelihood and impact of working around parked cars and report back to a future Scrutiny Committee.

\* 15 **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Standing Overview Group: Climate Change (minute 128 of 28 September 2023)**

**RESOLVED**

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee Standing Overview Group be thanked for its ongoing consideration of how this authority might support the shared aspirations of the Devon Climate Emergency Partnership in its delivery of the objectives and actions set out by the Devon Carbon Plan and the Devon, Cornwall and Isles of Scilly Climate Adaptation Plan;

(b) in this context, to approve and act on the first and second of their recommendations for written representation to be sent to Government and to South West Water in relation to energy and water resource issues; and

(c) raise the third recommendation relating to strategic infrastructure for consideration through the South West Infrastructure Partnership.

\* 16 **Devon Authorities Strategic Waste Committee - Waste Performance Statistics (17 October 2023 - Minute 39)**

**RESOLVED** that in line with previously agreed delegated powers (Cabinet, 13th April 2016 Min\*10 (c)) the request to review the criteria for joining the Devon Shared Savings Agreement made by the Devon Authorities Strategic Waste Committee be considered by the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Public Health, Communities and Equality, Director of Finance and Public Value, and Director of Legal and Democratic Services.

\* 17 **Minutes**

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

Devon Authorities Strategic Waste Committee – 17 October 2023.

\* 19 **Forward Plan**

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.