

CABINET – DECISION NOTICE

13 December 2023

Present:-

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

Members attending in accordance with Standing Order 25

Councillors J Brazil, C Whitton and M Wrigley

Councillors F Biederman, A Dewhurst and C Leaver

* 1

Minutes

RESOLVED that the minutes of the meeting held on 8 November 2023 be signed as a correct record.

6

Corporate Performance Management Framework and Local Government Association Corporate Peer Challenge

RESOLVED

(a) that the development and introduction of the corporate performance management framework described in this Report be agreed and commended to Council; and.

(b) that the proposal for a Local Government Association Corporate Peer Challenge in June 2024 be endorsed.

* 7

Impact of Government policy and new legislation on managing municipal waste in Devon including at the Household Waste Recycling Centres

RESOLVED

(a) that the requirement to make changes to operations at Household Waste Recycling Centres (HWRCs) in response to forthcoming changes in waste management legislation and Environment Agency requirements be approved;

(b) that the Director of Climate Change, Environment and Transport and Director of Finance and Public Value in consultation with the Cabinet Member for Public Health, Communities and Equality be given delegated authority to make any operational changes required at the HWRCs to comply with the changes in legislation and Environment Agency requirements and to mitigate

costs including the development of a QR system and restriction of certain wastes at nominated sites; and

(c) note the Collection & Packaging Reforms and the potential impact this may have on municipal waste management services in Devon in the future.

* **8** **Exmouth: Dinan Way Extension**

RESOLVED

(a) that the scheme layout shown on drawing A10020-52A General Layout (attached to the report at Appendix 1) for tender and construction, subject to legal and land assembly agreements being completed or a compulsory purchase order being confirmed be approved;

(b) that the necessary Traffic Regulation Orders be advertised and if no objections received, be made and sealed;

(c) that the Director of Climate Change, Environment and Transport, in consultation with the Cabinet Member for Climate Change, Environment and Transport, be given delegated authority to award the construction contract for the Scheme subject to the overall scheme cost being within a cost envelope of £13.025m; and

(d) that the Director of Climate Change, Environment and Transport, in consultation with the Local Members and Cabinet Member for Climate Change, Environment and Transport, be given delegated authority to make minor amendments to the scheme design.

* **9** **Community Self Delivery of Highway Improvements**

RESOLVED

(a) that the Corporate, Infrastructure and Regulatory Services Scrutiny Committee be thanked for their consideration of the proposals for Community Self-Delivery of Highway Improvements;

(b) that the Community Self-Delivery of Highway Improvements trial to enable communities to fund and deliver their own minor highway improvements in line with the guidance notes included in Appendix A, be approved; and

(c) that the findings of the trial be brought back to a future Cabinet meeting.

* 10 **Tarka Trail Willingcott to Knowle Scheme - Phase 2 Buttercombe Lane to Foxhunters – Scheme Approval**

RESOLVED

(a) that the construction of the Buttercombe Lane to Foxhunters section of the Tarka Trail, as shown in Appendix 1, at an estimated cost of £583,100, be approved; and

(b) that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management and the relevant Local Member be given delegated authority to approve minor amendments to the scheme details and finalise the acquisition of land for the scheme.

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

(Councillor Twiss declared a Disclosable Pecuniary Interest in this matter by virtue of being a travel agent (in response to representations made under Standing Order 25(2)) and withdrew from the meeting during its consideration).

RESOLVED that the School Penalty Notice Code of Conduct for unauthorised irregular attendance at school or exclusion from school following recent revision and amendments, be approved.

* 12 **Childcare Sufficiency Assessment - Annual Return**

RESOLVED

(a) that the Childcare Sufficiency Assessment Annual Report as a true reflection of the Council's current position in relation to meeting its duty to secure sufficient, accessible, affordable, high quality early years and childcare places *so far as is reasonably practicable*, be agreed;

(b) that Members confirm the sufficiency duty has been met this year, as far as is reasonably practicable, noting the work currently taking place to tackle hotspots; and

(c) note that the Report will be published on the website.

* 13 **Peer Challenge Improvement Plan (Adults)**

RESOLVED that the responses outlined in section 3 of the Report be noted.

* 14 **DfE Safety Valve Negotiations and Progress**

RESOLVED that the Report, as an update on progress in reaching a Safety Valve agreement with the Department for Education, be noted.

* 15 **Treasury Management Stewardship Mid Year Report**

RESOLVED that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their review of the Mid-Year Stewardship Report for the 2023/24 financial year and it be further endorsed and welcomed.

* 16 **Children's Scrutiny Committee - Recruitment and Retention Spotlight Review (Minute 121 of 14 November 2023)**

RESOLVED that the Childrens Scrutiny Committee be thanked for their informative Report. The Cabinet Member for Childrens Services and Schools will work with Childrens Services to produce an action plan on the 12 recommendations outlined in the Report which will be reported back to Childrens Scrutiny Committee.

* 18 **Minutes**

RESOLVED that the Minutes of the following be endorsed and any recommendations to Cabinet therein be approved:
Devon Audit Partnership – 23 November 2023.
Farms Estate Committee – 20 November 2023
Standing Advisory Council on Religious Education – 15 November 2023
Farms Estate (Interviewing) Committee – 10 November 2023

* 20 **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.