

CABINET – DECISION NOTICE

10 March 2021

Present:-

Councillors J Hart (Chair), R Croad, A Davis, R Gilbert, S Hughes,
A Leadbetter, J McInnes and B Parsons

Members attending in accordance with Standing Orders 8 and 25

Councillors Y Atkinson, F Biederman, A Connett, A Dewhirst, R Hannaford, R
Hosking and J Hodgson

* 1 **Minutes**

RESOLVED that the minutes of the meeting held on 12 February 2021 be
signed as a correct record.

* 6 **Budget Monitoring - Month 10**

RESOLVED

(a) that the month 10 budget monitoring forecast position be noted; and

(b) that the Pandemic funding update, outlined in the Report, also be noted.

* 7 **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Active Travel**

RESOLVED that Officers and the Cabinet Member for Highway Management

(a) through the planned refresh of the Cycling and Multi Use Trail Strategy be asked to develop policy to enable local people to be actively involved in the delivery of Multi-Use Trails; and

(b) review the outcome of the Newton Abbot 20mph trial in terms of its impact on active travel as well as road safety and a range of other environmental factors.

8 **Notice(s) of Motion**

(a) Voting Systems (Councillor Shaw)

RESOLVED that Council

(a) notes the various voting mechanisms in place and the lack of consistency across various organisations and throughout the UK;

(b) welcomes the current campaign that has been designed to encourage candidates to stand in the Election and also the investment made to promote the Elections and increase public participation through voting safely in person, by post or by proxy;

(c) welcomes any future legislative changes that increases participation in democratic processes; and

(d) in light of the public being given the opportunity to vote to change the current voting system in 2011 and the referendum being lost, the Council take no further action on the Notice of Motion.

(b) Elections – Campaigning (Councillor Shaw)

RESOLVED

(a) that Council support the work of the Cabinet Office in developing online postal voting and furthermore supports any mechanism which gives choice to the electorate in terms of voting, but also notes that any changes would not be possible for the forthcoming Elections on the 6th May 2021, given the legislative changes required; and

(b) that in light of the new guidance issued by the Cabinet Office, which states that from the 8th March people campaigning in support of the electoral success of candidates or political parties will be allowed to deliver leaflets and canvass electors in relation to the elections, Council be recommended to take no further action on the Notice of Motion.

(c) Climate and Ecological Emergency Bill (Councillor Hodgson)

RESOLVED that Council be recommended to endorse the Notice of Motion and encourage local MPs to support the Bill. In doing so, Council will ask local MPs to work with Government colleagues to provide a national framework of necessary legislative changes and additional resources to facilitate the unprecedented levels of behaviour change, skills development, technology deployment and investment that will be necessary to meet Paris Agreement commitments.

(d) Beach Breaks, Mental Health and Support of Initiatives (Councillor Biederman)

RESOLVED that Council;

(a) ask Public Health Devon explore with the Devon Local Nature Partnership (LNP) and/or other partners to conduct a pilot study examining possible options to increase engagement with green and blue spaces in children, young people, and families on low income;

(b) further ask Public Health Devon work with the Devon LNP and Active Devon to review and if necessary develop resources to promote local opportunities for walks or activities in green/blue space for to a wide variety of users e.g. family friendly, pram friendly, wheelchair accessible etc; and

(c) increase communications using a social marketing approach that are targeted and relatable to improve confidence and allay anxieties about accessing the natural environment and facilitate behaviour change.

(e) Sustainable future funding for Local Welfare Assistance (Councillor Atkinson)

RESOLVED that Council be recommended to;

(a) maintain the Team Devon Financial Hardship scheme to support, as far as the resources permit, residents facing financial crisis for 2021/22;

(b) campaign for a new funding allocation for councils from central government to provide schemes to address financial hardship and economic vulnerability be made available at the next comprehensive spending review and protected in real terms over the following years;

(c) write to the Chancellor, the Secretary of State for Housing, Communities and Local Government and Secretary of State for Work and Pensions to request that they make such a funding allocation available to local authorities, and;

(d) continue to work and engage partners as necessary to create the appropriate climate for job creation in the County to improve its prosperity.

(f) Use of Neonicotinoids (Councillor Wright)

RESOLVED that Council be recommended to

(a) endorse the spirit of this Notice of Motion given the significant environmental concerns relating to the use of neonicotinoids and calls on Government to carefully review its consideration of emergency use applications to ensure consistency with the objectives of the National Pollinator Strategy and the 25 Year Environment Plan; and

(b) note that with the new guidance recently received the motion has been superseded by Government action.

* **10** **Minutes**

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

Standing Advisory Council on Religious Education – 11 February 2021
Farms Estate Committee – 22 February 2021.

* 12 **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.

* 13 **Future Arrangements for the Provision of Education and Inclusion Services**

RESOLVED

(a) that the outcomes of the consultation and engagement process that has taken place over the past 15 months be noted;

(b) that following expiry or termination of the existing service contracts with Babcock Learning and Development Partnership LLP the Education and Inclusion Services be brought into direct delivery by the Council, through the Education and Learning teams.

(c) that authorisation be given to the County Treasurer, County Solicitor, and Head of Digital Transformation & Business Support (in consultation with the Leader of the Council and the Lead Member) to:

(i) determine the Council's preferred option for the future of the LLP after the existing service contract for Learner Services has come to an end;

(ii) enter into discussions with Babcock Education Holdings Ltd to agree the future of the LLP; and

(iii) execute all legal and financial agreements necessary to effect any decisions or agreements reached with regard to the future of the LLP.

(d) that in the event that the LLP is wound up or otherwise ceases to provide the traded services, that authorisation be given to the Chief Officer for

Children's Services (in consultation with the County Treasurer, County Solicitor, Head of Digital Transformation & Business Support, Head of Education & Learning, the Lead Member for Childrens Services and the Leader of the Council) to consider the future of appropriate traded services in accordance with the commitment provided at paragraph 3.17 in the Report, and recognising that the future of the services will be subject to further consultation and scrutiny, as appropriate and Cabinet in due course.

* **14** **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following item of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of a third party 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.

* **15** **Education and Inclusion Services Commissioning – Part 2**

RESOLVED that the contents of the Report be noted when considering the proposed recommendations set out in Report CS/21/04 (Minute *647 refers).

Councillor Hart then **MOVED** and Councillor McInnes **SECONDED** that the press and public be readmitted to the meeting.