

CABINET – DECISION NOTICE

9 November 2022

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 Orders 8 and 25

Councillors J Brazil and C Whitton (in person)

Councillors J Bailey, F Biederman, A dewhirst and M Wrigley (remote attendance)

* 1

Minutes

RESOLVED that the minutes of the meeting held on 12 October 2022 be signed as a correct record.

* 6

Budget Monitoring - Month 6

RESOLVED

(a) that the Month 6 budget monitoring forecast and the very challenging financial position faced by the Council be noted;

(b) that the immediate action being taken to safeguard the financial sustainability of the Authority be supported;

(c) that the savings and additional income resulting from the Financial Sustainability Programme be noted;

(d) that the introduction of a new charge when novating contracts be agreed, with immediate effect;

(e) that changing the financing of the Special Educational Needs Capital Programme totalling £12.3 million from internal borrowing to external grant be approved; and

(f) that authority be given to change the financing of other capital projects totalling £8.7 million from internal borrowing to Capital Receipts.

* 7 **Highways and Traffic Management Policy Reviews**

RESOLVED

(a) that in relation to Moving Traffic Offences (MTOs)

(i) the submission of an application to the DfT to acquire powers to enforce MTOs under Part 6 of The Traffic Management Act 2004 in Tranche 3 of applications expected to be July 2023 be approved; and

(ii) that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management be given delegated authority to approve future enforcement sites.

(b) in relation to Pay and Display

(i) that the proposed policy for Parking Management in Communities (including Pay & Display) as laid out in Appendix D, be approved;

(ii) that the advertising of schemes in the communities as laid out in Appendix E also be approved; and

(iii) that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management be given delegated authority to make minor amendments to policy and schemes where appropriate.

(c) regarding advertising on the highway

(i) that the proposed policy for sponsorship and advertising on highway assets and associated infrastructure be approved; and

(ii) that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Highway Management be given delegated authority to make minor amendments to the policy where appropriate.

8 **Notices of Motion**

(a) Bus Passes- Councillor Brazil

RESOLVED that the County Council keeps the time of free travel the same for all eligible residents as now – from 0930 Monday to Friday.

(b) Housing White Paper - Councillor Cllr Atkinson

RESOLVED that Council notes the issues raised and will continue to work as part of the Devon Housing Task Force.

(c) Funding for Local Government - Councillor Whitton

RESOLVED

(a) that the County Council supports the LGA and CCN in calling for the earliest possible resumption of the Government's Fair Funding Review to ensure that the true costs of delivering public services particularly in rural areas are properly funded and the needs of all our communities – rural, coastal and urban – are met;

(b) that the County Council supports the LGA and CCN in calling on Government to ensure this year's Local Government Settlement recognises the unprecedented pressures on the sector so that Councils are adequately funded to protect public services;

(c) that the County Council calls on Government to delay the charging reforms to adult social care services, and to reinvest funding earmarked for these proposals in local government to help ease the pressures on social care;

(d) that the County Council calls on Government to rebalance funding between health and social care, by allocating more of the £13bn committed to tackling the NHS backlog to Councils who can work with NHS partners to invest in preventative social care and help ease the pressure on our hospitals; and;

(e) that the County Council calls on Government to urgently approve the Council's Safety Valve Intervention Fund proposal or provide temporary respite by rolling the Dedicated Schools Grant deficit forward a further year.

(d) Second Homes and Council Tax Premium - Councillor Brazil

RESOLVED that as soon as legislation allows the County Council will ask each of the District Councils to give consideration to adding the Council Tax premium on second homes to their Council Tax schemes.

(e) Pedestrian Priority in Highways Policies - Councillor Wrigley

RESOLVED that Council recognises that the safety of pedestrians and vulnerable road users is paramount in the planning, delivery, operation and maintenance of highway infrastructure and the planned review of the Local Transport Plan should be used to reinforce the hierarchy of users.

(f) Environmental Protections - Councillor Bailey

RESOLVED that it is recommended that the County Council writes to the Secretary of State for the Environment to highlight:

(a) the concerns about the currently perceived policy threats to nature;

(b) the importance of strong environmental protection alongside other statutory considerations to achieve our strategic aim of supporting sustainable and inclusive economic prosperity that improves the health and wellbeing of our residents; and

(c) that careful streamlining of the delivery of regulatory requirements, rather than their weakening or removal, is the most effective way of ensuring that environmental interests do not cause inappropriate delay or constraint to future growth.

(g) Glyphosate Use on all Council Owned Land - Councillor Hodgson

RESOLVED that in line with its adopted Environmental Policy, County Council services should only use glyphosate if absolutely necessary, where practical alternatives are not available.

* 10 **Minutes**

RESOLVED that the Minutes of the following be endorsed and any recommendations to Cabinet therein be approved: Devon Education Forum - 28 September 2022.

* 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 **Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting for the following items of business under Section 100(A)(4) of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act namely, the financial or business affairs of the preferred bidder or tenderers for the provision or supply of council goods or services, and of the County Council 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.

* 14 **North Devon Link Road Project Update (Part 2 item)**

RESOLVED that the design changes to the North Devon Link Road, as outlined in the recommendations section of the Report, be approved.