

CABINET

14 December 2022

Present:-

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

Members attending in accordance with Standing Order 25

Councillors F Letch MBE and C Whitton

Councillors Aves, Brazil and Wrigley were in remote attendance.

* 246 **Minutes**

RESOLVED that the minutes of the meeting held on 9 November 2022 be signed as a correct record.

* 247 **Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

* 248 **Announcements**

The Chair welcomed Donna Manson (Chief Executive Designate) to her first Cabinet meeting. The Council had formally approved the appointment on the 8th December and that Donna would formally join the Council in February.

* 249 **Petitions**

There was no petition received from a Member of the Public or the Council.

* 250 **Question(s) from Members of the Council**

There was no question from a Member of the Council.

* 251 **Childcare Sufficiency Assessment - Annual Return**

(Councillors Brazil, Whitton and Wrigley attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Early Years and Childcare Sufficiency Lead (CS/22/30) presenting the annual return on the sufficiency of accessible, affordable, high quality early years and childcare places, circulated prior to the meeting in accordance with regulation 7(4) of the Local

Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Summary Report highlighted that this year, the Early Years and Childcare Service had focussed on identifying areas where there was not enough provision and supporting providers coming out of the COVID-19 pandemic.

The Service had taken the lead role with the [Holiday Activities and Food \(HAF\) programme](#) opening during the easter and summer holidays. They developed a recruitment and retention strategy, changed the way the processes relating to the funding of 2-year-olds was managed, welcomed Early Years Consultants into the Team, had a change of leadership and generally continued with the day-to-day work of the Service.

Next year, the focus would continue on the recruitment and retention of qualified staff, ensuring childcare was affordable by surveying providers to establish what charges were made and raising the awareness of parents about the financial help available to them, supporting providers to remain sustainable, promoting the services offered to parents including the '*unable to find childcare*' form, following up with parents about checking their eligibility for two-year-old funding and taking up a place and improving free school meal take-up in school nurseries.

The Service would also work to address the hotspots that had been identified where more provision was needed and the spotlight areas where information was needed to determine the supply and demand for childcare. Parent and Provider Surveys would be sent in the Spring and Summer terms; and the feedback from these would inform the next report.

It was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and **RESOLVED** the Report be welcomed and endorsed.

* 252 **Children's Scrutiny - SEND Task Group (Minute *68)**

(Councillors Aves, Letch and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that at its meeting on 15 November the Children's Scrutiny Committee had considered the Report of the Special Education Needs and Disabilities (SEND) Task Group (Minute *68) and had subsequently **RESOLVED** *that the Task Group Report and recommendations be endorsed and commended to the Cabinet.*

The Recommendations of the Task Group could be found on page 3 of the [Report](#) and were presented against ambitions based on asking staff, service users and partners on what '*good*' looked like. The ambitions were based on specific areas of improvement.

It was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and **RESOLVED**

(a) that the Children's Scrutiny Committee be thanked for its commitment to the Special Education Needs and Disabilities (SEND) of children, young people and their families in Devon and for the work of the Task Group;

b) that, as requested, the Cabinet Member will write to the Secretary of State for Education, the Secretary of State for Health and Social Care and will continue to work with the F40 group to ensure fair funding for the children and young people of Devon, and

(c) that Cabinet thanks the Scrutiny Committee for the Report and that it is forwarded to the SEND Improvement Board for information.

* 253 **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Treasury Management Stewardship Mid Year Report**

(Councillors Brazil and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Director of Finance (DF/22/102) on the Treasury Management Mid-Year Stewardship 2022/23, which updated on key matters arising from the Council's Treasury and Debt Management activities during the first seven months of the 2022/23 financial year, the Report having also been considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 24 November 2022 (Minute *81 referred).

The Report outlined the Borrowing Strategy 2022/23 to 2024/25, Investment Strategy 2022/23, Minimum Revenue Provision, Prudential Indicators and the prospects for 2023/24.

In summary, the Report stated that no long-term borrowing had been undertaken to date in 2022/23, but the Council had committed to taking out new external borrowing ringfenced to the Plymouth and South Devon Freeport. No short-term borrowing had been undertaken to date in 2022/23. Investment income achieved as at the end of October stood at around £1.8 million compared to the budget target for the year of £900,000.

Looking ahead, the impact of current budget pressures on the Council's cash resources was still uncertain. The resolution of the issues around the Special Educational Needs deficit was likely to be key to determining how the Council managed its external debt over the next year and beyond.

The matter having been debated and other relevant factors set out in the Director's Report and/or referred to above having been considered:

it was **MOVED** by Councillor Twiss, **SECONDED** by Councillor Hart and

RESOLVED that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their review of the Mid-Year Stewardship Report for the 2022/23 financial year and it be further endorsed and welcomed.

* **254** **Corporate Infrastructure and Regulatory Services Scrutiny Committee - Future Management of Local Bus Services**

(Councillor Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet noted that at its meeting on 24th November 2022, the Corporate Infrastructure and Regulatory Services Scrutiny Committee had considered the Report of the Director of Climate Change, Environment and Transport on the Future Management of Local Bus Services, the progress with the establishment of the Enhanced Partnership (EP) and what this meant for the management of local bus services (Minute *82 referred).

The Committee had **RESOLVED** '*that in recognising the vital role of the connectivity provided by the bus network in Devon, the Cabinet be requested to speak to Government to secure greater investment in the local bus network as being essential in promoting public health and supporting carbon reduction and climate strategies*'.

The Cabinet Member commented that she supported the views of the Committee.

It was **MOVED** by Councillor Davis, **SECONDED** by Councillor Hart and

RESOLVED that the Cabinet Member for Climate Change, Environment and Transport;

(a) writes to the Secretary of State for Transport to ask that the Local Transport Funding paid to local authorities to support services while they recover from the pandemic, is extended beyond the expiry date of March 2023; and

(b) continues to take every opportunity to encourage Government to continue to support local bus services through additional funding.

* **255** **Question(s) from Members of the Public**

There was no question from a Member of the public.

* 256 **Minutes**

Councillor Brazil attended in accordance with Standing Order 25(2) and spoke to this item).

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor McInnes, and **RESOLVED** that the Minutes of the following be endorsed:

Devon Authorities Strategic Waste Committee – 19 October 2022

Standing Advisory Council on Religious Education – 7 November 2022

Devon Audit Partnership – 1 December 2022

It was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart and **RESOLVED**

(a) that in relation to the Devon Education Forum of the 23 November 2022, minute 69(a) relating to proposals for the 2023-24 schools' revenue funding formula be endorsed.

(b) that minute 69(b) be noted relating to the Forum's decision not to support the transfer 0.5% to the HNB and that a disapplication request to the Secretary of State had been submitted to overturn this decision.

The Cabinet then noted the minutes of the SEND Improvement Partnership Board and the Children's Services Improvement Partnership Board which would now form part of the Cabinet papers for the information of all Members.

* 257 **Delegated Action/Urgent Matters**

The [Registers of Decisions taken by Members under the urgency provisions or delegated powers](#) were available for inspection, in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. [Decisions taken by Officers](#) under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution.

* 258 **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.

* **259** **Exclusion of the Press and Public**

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Davis and

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 persons tendering for the provision of council goods or services, 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.

* **260** **Children's Centres - Contract Extension**

(An item taken under Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded, no representations having been received to such consideration under Regulation 5(5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

(Councillors Brazil and Whitton attended in accordance with Standing Order 25(2) and spoke to this item).

The Cabinet considered the Report of the Head of Children's Health and Wellbeing ([CS/22/31](#)) on proposals for contract extensions for Children's Centres, circulated prior to the meeting in accordance with regulation 7(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

The Report outlined that the current contract ended on 31st March 2023, the importance of the wider Devon Early Help Service for children and families, the key contractual obligations built into the current contract and performance headlines (detailed in Appendix 1).

It further outlined the benefit of the proposed extension and the proposals of the current contract award, including continuation of frontline service delivery.

Commissioning oversight and support would be provided through robust financial monitoring at contract review meetings.

The matter having been debated and the options and/or alternatives and other relevant factors (e.g. financial, sustainability, environmental impact, risk management, equality and legal considerations) set out in the Head of Service's Report having been considered:

It was **MOVED** by Councillor Leadbetter, **SECONDED** by Councillor Hart, and

RESOLVED that the direct award of a 12-month contract from the 1st of April 2023 to 31st March 2024 for the provision of a targeted Children Centre Services for children aged 0-8 years and their families across Devon, with the current provider Action for Children (AfC) be agreed and the management actions proposed from AfC, as outlined in recommendation (b) of the Report, be further endorsed.

NOTES:

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

* **DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.31 am and finished at 11.42 am