

**CABINET – DECISION NOTICE**

8 March 2023

Present:-

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

Councillor A Davis (remote attendance)

Members attending in accordance with Standing Orders 8 and 25

Councillors J Brazil and C Whitton

Councillors Y Atkinson, A Dewhirst and M Wrigley (remote attendance)

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**Minutes**

**RESOLVED** that the minutes of the meeting held on 10 February 2023 be signed as a correct record.

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**Budget Monitoring - Month 10**

**RESOLVED**

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

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

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

\* 7

**Seaton to Colyford Multi-Use Path - Approval to construct**

**RESOLVED**

(a) that the preferred scheme, as shown in Appendix 1, to proceed to tender and construction at an estimated cost of £1,234,376 be approved; and

(b) that the Director of Climate Change, Environment and Transport be given delegated powers, in consultation with the Cabinet Member for Highway Management and the local Member, to make minor amendments to the scheme details.

\* **8**      **Flood Risk Management Action Plan 2023/2024**

**RESOLVED**

(a) that the budget allocations made to support delivery of the Annual Flood Risk Management Action Plan for 2023/24 as set out in Appendix A be approved; and

(b) that the Director of Climate Change, Environment and Transport in consultation with the Cabinet Member for Public Health, Communities and Equality be given delegated authority to approve any significant changes to the Revenue and Capital allocations.

\* **9**      **Education Travel Review: Approval to arrangements for subsequent academic year**

**RESOLVED** that the Education Transport Policy 2023-25 and the Post-16 Education Transport Policy 2023-25 be approved incorporating the changes as outlined below:

(a) that the level of parental contributions rise incrementally over the next academic years:

- i.£690 in 2023-24
- ii.£750 in 2024-25
- iii.£800 in 2025-26
- iv.£900 in 2026-27

(b) that the increase in the level of parental contributions take place from September 2023;

(c) that future education transport policies be determined for three academic years at a time;

(d) that Cullompton Community College continue to be recognised as the catchment school for transport purposes in the Willand School catchment and not to recognise Uffculme School for school transport purposes; and

(e) that Alphington Primary School, Exminster Community Primary School, Ide Primary School, and Kenn Church of England Primary School continue to be recognised and for Teign School, West Exe School, and Dawlish College be recognised as the catchment schools for transport purposes when the new Matford Brook Academy catchments are introduced and not to recognise Matford Brook Academy for school transport purposes.

\* 10 **Health and Adult Care Scrutiny Committee - Community Pharmacy  
Spotlight Review**

**RESOLVED**

(a) that the Community Pharmacy Spotlight Review Report be welcomed, and the Health and Adult Care Scrutiny Committee be thanked for undertaking the review.

(b) that the recommendations be accepted, and that the Council is committed to working collaboratively with NHS Devon, who take over responsibility for commissioning local pharmaceutical service from NHS England on the 1st April 2023.

\* 11 **Health and Adult Care Scrutiny Committee - Day Care Service Site Visits**

**RESOLVED**

(a) that the Health and Adult Care Scrutiny Committee be thanked for its continued work in this area and its constructive challenge and contribution; and

(b) that the recommendations within the Report be accepted that support the Council to deliver its promoting independence approach, including to ensure where services are provided, they are the right services, delivered in the right way by the right people and enable the best outcomes for individuals, families and communities.

\* 12 **Corporate Infrastructure & Regulatory Services Scrutiny Committee -  
Modernisation of the Corporate Finance System Spotlight Review**

**RESOLVED**

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for their comprehensive report on the Modernisation of the Corporate Finance System;

(b) that the views of Scrutiny supporting the aims and vision of the Future Finance Project be welcomed; and

(c) that the recommendations of the Spotlight Review be accepted, specifically that:

- (i) corporate prioritisation of this project is recognised;
- (ii) necessary resources for delivery of the project will be ensured;
- (iii) in addition to a cloud based archive of financial data, that Service Management consider the creation of a local archive of financial data in case of a potential breach or malfunction as part of Disaster Recovery and Business Continuity Planning as Finest gets closer to

the end of its life, as per the recommendation from Moore Insight;  
and

- (iv) a further progress review of the project is carried out approximately 3 months after contract award by a Standing Overview Group of CIRS scrutiny.

\* **13**      **South Hams Highways and Traffic Orders Committee - A3121 in Ermington - Request for reduction in speed limit to 30mph**

**RESOLVED** that the matter be deferred pending a site visit by the Cabinet Member for Highway Management with the Local Member and officers, including the Police and Road Safety Team.

**14**      **Notice(s) of Motion**

**(a) Protect the Right to Free Camp on Dartmoor - Councillor Wrigley**

**RESOLVED** that the County Council:

(a) shares the concern expressed by this Notice of Motion (and the one submitted by Councillor Barnes) about the legal implications of this High Court ruling for the right to backpack camp on relevant parts of Dartmoor, particularly in the light of long-standing tradition of such activity and the resulting benefits for physical and mental wellbeing of connecting with nature in this way;

(b) endorses the actions taken by Dartmoor National Park Authority in its efforts to uphold the ability for the public to enjoy responsibly this activity on an ongoing basis, including its promotion of a 'Backpack Camping Code'; and it is recognised that motorised vehicles, campervans and sleeping in cars is not included in the backpack camping code and will be subject to regulation and enforcement to avoid harm to Dartmoor's moorland environment; and

(c) calls on the Secretary of State for the Environment to support appropriately these endeavours across relevant parts of the Dartmoor Commons.

**(b) Forced Installation of Pre Payment Meters - Councillor Atkinson**

**RESOLVED** that Council be recommended to:

(a) continue to work with and support local partners, including Team Devon Councils, the NHS and the voluntary and community sector, on supporting vulnerable households; and

(b) write to the Secretary of State, with a copy to Devon MPs, urging Government to: reduce energy vulnerability through financial support for struggling households; introduce a moratorium on the installation of gas or electricity prepayment meters; cease the use of court warrants to gain entry to homes to fit prepayment meters or the automatic switching of smart meters onto prepayment ones.

**(c) Special Education Needs (SEND) Budgets and Deficits - Councillor Atkinson)**

**RESOLVED** that the Council welcomes the concern and support shown by all Members, demonstrating the desire across the County Council to ensure a secure future where children with special needs receive the educational support they need and in the right settings. To that end, the Council reaffirms its strong commitment to achieve a financially sustainable future for special educational needs and thereby also provide parents and carers of children with special needs with confidence and reassurance.

**(d) Dartmoor National Park - Councillor Barnes)**

**RESOLVED** that the County Council:

(a) shares the concern expressed by this Notice of Motion (and the one submitted by Councillor Wrigley) about the legal implications of this High Court ruling for the right to backpack camp on relevant parts of Dartmoor, particularly in the light of long-standing tradition of such activity and the resulting benefits for physical and mental wellbeing of connecting with nature in this way;

(b) endorses the actions taken by Dartmoor National Park Authority in its efforts to uphold the ability for the public to enjoy responsibly this activity on an ongoing basis, including its promotion of a 'Backpack Camping Code'; and it is recognised that motorised vehicles, campervans and sleeping in cars is not included in the backpack camping code and will be subject to regulation and enforcement to avoid harm to Dartmoor's moorland environment; and

(c) calls on the Secretary of State for the Environment to support appropriately these endeavours across relevant parts of the Dartmoor Commons.

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**Minutes**

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

Standing Advisory Council on Religious Education – 9 February 2023  
Farms Estate Committee – 20 February 2023  
Devon Authorities Strategic Waste Committee - 22 February 2023

\* **18**      **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.