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To: The Chair and Members  
of the Cabinet

County Hall  
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Date: 5 December 2023

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## **CABINET**

Wednesday, 13th December, 2023

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite (DAW) - County Hall to consider the following matters.

Donna Manson  
Chief Executive

## **A G E N D A**

### **PART I - OPEN COMMITTEE**

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 8 November 2023, (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

- 6 Question(s) from Members of the Council

### **FRAMEWORK DECISION**

- 7 Corporate Performance Management Framework and Local Government Association Corporate Peer Challenge (Pages 1 - 12)

Joint report of the Head of Economy, Enterprise & Skills and Director of Transformation & Business Services (EES/23/3), outlining a proposed Corporate Performance Management Framework and proposal for a LGA Corporate Peer Challenge, attached.

*Electoral Divisions(s): All Divisions*

### **KEY DECISIONS**

- 8 Impact of Government policy and new legislation on managing municipal waste in Devon including at the Household Waste Recycling Centres (Pages 13 - 26)

Report of the Director of Climate Change, Environment and Transport (CET/23/100) on the impact of new policy and legislation on managing municipal waste, attached.

An Impact Assessment has been prepared for the attention of Members and is attached and available at [Waste management legislative changes - Impact Assessment \(devon.gov.uk\)](#)

*Electoral Divisions(s): All Divisions*

- 9 Exmouth: Dinan Way Extension (Pages 27 - 52)

Report of the Director of Climate Change, Environment and Transport (CET/23/101) seeking approval for the Dinan Way Extension which would provide a link between the existing section of Dinan Way and the A376, attached.

An Impact Assessment has been prepared for the attention of Members at the meeting, is attached, and can also be found at - [Dinan Way extension, Exmouth - Impact Assessment \(devon.gov.uk\)](#).

*Electoral Divisions(s): Exmouth*

- 10 Community Self Delivery of Highway Improvements (Pages 53 - 62)

Report of the Director of Climate Change, Environment and Transport (CET/23/102) which provided guidance for communities to be able to carry out minor improvements to the highway network, attached.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee had considered this matter at its meeting on 16th November 2023 and had RESOLVED (minute 136 refers) that it (a) supported the proposed trial to enable communities to fund and self-deliver their own minor highway improvements in

line with the guidance notes included in Appendix A; (b) that Town and Parish Councils be supported in self-delivery by having a checklist as part of the guidance supporting the community in carrying out these works; and (c) a Report be submitted to the Committee on progress and take up of the scheme from Town and Parish Councils.

*Electoral Divisions(s): All Divisions*

11 Tarka Trail Willingcott to Knowle Scheme - Phase 2 Buttercombe Lane to Foxhunters – Scheme Approval (Pages 63 - 94)

Report of the Director of Climate Change, Environment and Transport (CET/23/103) seeking Scheme Approval for Phase 2 Buttercombe Lane to Foxhunters of the Tarka Trail Willingcott to Knowle Scheme, attached.

An Impact Assessment has been prepared for Members at the meeting, is attached, and can be found at - [Tarka Trail - Willingcott to Knowle - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/tarka-trail-willingcott-to-knowle-impact-assessment).

*Electoral Divisions(s): Braunton Rural;  
Combe Martin Rural; Ilfracombe*

12 School Penalty Notice Code of Conduct. (Pages 95 - 108)

Report of the Head of Education and Learning (CS/23/22) seeking approval to the School Penalty Notice Code of Conduct for unauthorised irregular attendance at school or exclusion from school, attached.

An Impact Assessment has been prepared for the attention of Members, is attached, and can be found here - [School Inclusion Fixed Penalty Code of Conduct - Impact Assessment \(devon.gov.uk\)](https://www.devon.gov.uk/school-inclusion-fixed-penalty-code-of-conduct-impact-assessment)

*Electoral Divisions(s): All Divisions*

13 Childcare Sufficiency Assessment - Annual Return (Pages 109 - 146)

Report of the Interim Head of Education (Delivery) (CS/23/21) presenting the annual return on the sufficiency of accessible, affordable, high quality early years and childcare places, attached.

*Electoral Divisions(s): All Divisions*

14 Peer Challenge Improvement Plan (Adults) (Pages 147 - 154)

Report of the Director of Integrated Adult Social Care (IASC/23/05), presenting the main recommendations of the Local Government Association Peer Challenge Report, and to summarise the Council's Improvement Plan in response, attached.

*Electoral Divisions(s): All Divisions*

## **OTHER MATTERS**

### 15 DfE Safety Valve Negotiations and Progress

Joint Report of the Director of Children and Young People's Futures / Chief Executive and Director of Finance and Public Value updating on the progress of discussions with the DfE regarding the Safety Valve. This Report will follow.

*Electoral Divisions(s): All Divisions*

## **MATTERS REFERRED**

### 16 Treasury Management Stewardship Mid Year Report (Pages 155 - 162)

Report of the Director of Finance and Public Value (DF/23/104) outlining the Council's Treasury Management Mid-Year Stewardship 2023/24, which updates on key matters arising from the Council's Treasury and Debt Management activities during the first seven months of the 2023/24 financial year, previously considered and endorsed by the Corporate Infrastructure and Regulatory Services Scrutiny Committee on 16 November 2023 (Minute \*135 refers). The Report is attached and Scrutiny minute below.

*(a) that this Committee commend the Treasury Management Mid Year Report to Cabinet, commenting especially on the excellent work of the treasury management team in prudent financial management including achieving £4.86 million in the seven months to 31 October, in interest against a full year budget of £3.75 million.*

*Electoral Divisions(s): All Divisions*

### 17 Children's Scrutiny Committee - Recruitment and Retention Spotlight Review (Minute 121 of 14 November 2023) (Pages 163 - 184)

At its meeting on 14 November 2023, the Children's Scrutiny Committee considered the Report of the Recruitment and Retention Spotlight Review (Minute 121 refers), which had been held on 26 July 2023, detailing the findings and recommendations of the Spotlight Review.

This work stemmed from earlier work on Social Work Workforce Recruitment and Retention Spotlight Review and a SEND Task Group which had recommended a follow-up Spotlight Review on recruitment and retention to make further recommendations that could support Children's Services achieving a stable, permanent workforce.

The Children's Scrutiny Committee **RESOLVED**

- (a) that the Recruitment and Retention Spotlight Review report be commended to the Cabinet;
- (b) that Cabinet be asked to endorse and take action on the 12 recommendations contained in the report;
- (c) that in response, Cabinet be asked to agree a recommendations action plan detailing how and when any agreed recommendations will be enacted; and
- (d) that Cabinet be asked to report back to this Committee in June 2024 on progress made against the recommendations.

**Recommendation**

The Cabinet thanks the Childrens Scrutiny Committee 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.

*Electoral Divisions(s): All Divisions*

**STANDING ITEMS**

- 18 Question(s) from Members of the Public
- 19 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein (i.e. any unstarred minutes):

*NB: Minutes of [County Council Committees](#) are published on the Council's Website:*

- a Farms Estate (Interviewing) Committee - 10 November 2023 (Pages 185 - 186)
- b Standing Advisory Council on Religious Education - 15 November 2023 (Pages 187 - 192)
- c Farms Estate Committee - 20 November 2023 (Pages 193 - 200)
- d Devon Audit Partnership - 23 November 2023 (Pages 201 - 202)

21 Delegated Action/Urgent Matters

The Register of Decisions taken by Members under the urgency provisions or delegated powers is available on the website in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The decisions taken and associated information can be found [here](#).

22 Forward Plan (Pages 203 - 220)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

The [Forward Plan is available on the Council's website](#).

**PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC**

NIL

*Members are reminded that Part II Reports contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). They need to be disposed of carefully and should be returned to the Democratic Services Officer at the conclusion of the meeting for disposal.*

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### **Declarations of Interest for Members of the Council**

It is to be noted that Members of the Council must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

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