

CABINET – DECISION NOTICE

10 April 2024

Present:-

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

Apologies:-

Councillors L Samuel and P Twiss

Members attending in accordance with Standing Orders 8 and 25

Councillor Biederman (remote attendance)
Councillors C Leaver and C Whitton (in person)

* 2

Minutes

RESOLVED that the minutes of the meeting held on 13 March 2024 be signed as a correct record.

7

Coroners Devon Wide Service - Adoption of Functions

RESOLVED

(a) that as the relevant lead authority for the Combined Coroner Area for the County of Devon, Plymouth and Torbay, to the extent necessary, recommend that Council adopt the duties and functions from Torbay and Plymouth under the Criminal Justice Act for the purposes of enabling Devon to deliver the Coroner's Service for the County of Devon, Plymouth and Torbay; and

(b) take assurance from the progress report presented.

* 8

Plymouth and South Devon Freeport - Delivery of Spine Road and Pedestrian/Cycle Bridge

RESOLVED

(a) that the following schemes for tender, subject to the resolution of legal and land assembly agreements, and planning consents, be approved;

- I.Spine road phase 1a as shown in Appendix 1
- II.Spine road phase 1b as shown in Appendix 2
- III.Pedestrian/cycle bridge as shown in Appendix 3;

(b) that any necessary Traffic Regulation Orders be advertised, and if no objections received, be made and sealed;

(c) that following receipt of planning consents, land acquisition is commenced by negotiation and approval given to use compulsory purchase powers, if required;

(d) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highway Management and the Cabinet Member for Climate Change, Environment and Transport to award the construction contract for delivery of the Schemes in Appendix 1, 2 and 3 with a combined cost of £18.908 million; and

(e) that the Director of Climate Change, Environment and Transport be given delegated authority, in consultation with the Cabinet Member for Highway Management, the Cabinet Member for Climate Change, Environment and Transport and the relevant Local Members to make minor amendments to the scheme, as required.

* **9** **Commissioning services to address Domestic Abuse in Devon**

RESOLVED

(a) that Option 1 - the commissioning of an Integrated Domestic Abuse Service for Devon from April 2025, including improved access, prevention and early intervention, risk planning and advocacy, support for those in safe accommodation and in recovery, and to work with those that harm - be approved; and

(b) that delegated authority be given to the Director of Public Health, Communities and Prosperity in consultation with the Cabinet Member for Public Health, Communities and Equality, the Chief Executive and the S151 Officer to award the contract.

* **10** **Sexual and Reproductive Health Recommissioning**

RESOLVED

(a) that the joint re-procurement of sexual and reproductive health services by Devon County Council and Torbay Council be approved; and

(b) that the Director of Public Health, Communities & Prosperity be given delegated authority to approve contract award recommendations and enter into the new contractual arrangements, in consultation with the Cabinet Member for Public Health, Communities and Equality, the Chief Executive and the S151 Officer.

* 11 **Fostering Allowance Uplift 23/24 and 24/25**

RESOLVED

(a) that the standard fostering allowance for 16–17-year-olds increases by 7.49% (in line with the DfE National Minimum Rates) and all other standard fostering allowances for children aged 0-15 years be increased by 6.33% from 3rd April 2023;

(b) that a 5.92% increase in the foster carer fee (previously linked to attendance at support groups and training) from 3rd April 2023, be agreed;

(c) that the standard fostering allowance for 16–17-year-olds increases by 6.88% (in line with the DfE National Minimum Rates) and the standard fostering allowances for children aged 0-15 increases by 3% from 1st April 2024;

(d) that a 3% increase to the foster carer fee from 1st April 2024 be agreed; and

(e) note that the impact of these increases in the fostering allowances, backdated to April 2023, will increase the Children's Services Outturn by £690,000, compared to the Month 10 forecast.

* 12 **Assurance of LA delivery of duties (defined by Part 1 of Care Act (2014) by the Care Quality Commission (CQC)**

RESOLVED

(a) that the requirements placed on Integrated Adult Social Care (ASC) through the Care Quality Commission (CQC) assurance framework be recognised and support the service in its preparedness for the assurance reform.

(b) that Members of the Cabinet are supported in their roles regarding assurance of local authority delivery of its duties as defined by part one of the Care Act (2014) by:

- i. being offered further Masterclasses on this and related topics;
- ii. being briefed on key developments via the newsletter of the Cabinet Member for Integrated Adult Social Care and Health;
- iii. having access to a [website](#) containing materials relevant to CQC assurance, a guide to adult social care in Devon, and our self-assessment; and

- iv. being offered group or individual briefing sessions ahead of any inspection visit by the CQC such as those facilitated by the Local Government Association (LGA) in January 2024.

* **13** **North Devon Link Service (Call in of Cabinet Decision 491 of 13 March 2024)**

RESOLVED that the recommendation of the Scrutiny Committee and its intention to monitor the position be noted and it be further noted that the original decision of the Cabinet had been implemented with immediate effect following the conclusion of the call-in process.

14 **Notice of Motion**

(Councillor Hart declared both a personal and pecuniary interest in this matter by virtue of being involved in the holiday trade (and left the meeting for consideration of the item).

RESOLVED that Council be recommended to:

(a) recognise that every child has a right to access education and that it is the parent's legal responsibility to ensure their children of compulsory school age receive a suitable full-time education;

(b) acknowledge that regular attendance at school allows learners to make the most of their education, thereby improving their life chances into adulthood; and

(c) explores with Devon's Members of Parliament, the tourism sector, schools and parents ways to develop practical policy proposals for Government to limit the price differential between the cost of holidays in and out of school term-time.

* **17** **Minutes**

(Councillor Davis declared a prejudicial interest in this matter by virtue of her son working for the Devon Audit Partnership and left the meeting during this item).

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

Devon Audit Partnership Committee - 14th March 2024
Devon Education Forum - 20th March 2024

* **19** **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.