

CABINET – DECISION NOTICE

8 May 2024

Present:-

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

Members attending in accordance with Standing Order 25

Councillors J Bailey, F Biederman, J Hawkins, R Scott, J Trail BEM, C Whitton and M Wrigley

A Dewhirst (remote attendance)

* 2

Minutes

RESOLVED that the minutes of the meeting held on 13th April 2024 and the special meeting of 22 April 2024 be signed as a correct record.

* 8

Destination Exmouth Levelling Up Fund: Exmouth Gateway

RESOLVED

(a) that the results of the Consultation Report, included in Appendix 1, be noted; and

(b) that the removal of the Exmouth Gateway proposals from the Destination Exmouth Levelling Up Fund (LUF) package be approved.

* 9

Revenue and Capital Outturn 2023/2024

RESOLVED

(a) that the key Operating Principles of the Authority to deliver financial sustainability and continue to support the priority focus on improving financial management, control, accountability and capability across services be noted;

(b) that the draft outturn for 2023/24 be noted, after carry forwards and contributions to and from balances, reserves and provisions, shows an increase in the General Fund Balance of £55,000 against the approved revenue budget;

(c) that the 2023/24 revenue outturn is approved, including transactions on earmarked reserves and provisions, spending against budget, treatment of over and under spending and the implications for balances, as set out in the tables and the narrative of the report;

- (d) that any variances in the final returns from Districts for business rates grants and pooling gain be taken to the Business Rates Risk Management Reserve;
- (e) that the 2023/24 capital outturn is approved including spending against budget and proposed carry forwards, in accordance with the tables;
- (f) that the use of capital finance as set out in the Determination of Capital Finance section 11 of the report is approved;
- (g) that a total of £9.8 million is set aside from revenue resources as Minimum Revenue Provision for the repayment of capital borrowing;
- (h) that the Prudential Indicators, as set out in section 10 of the Report, be noted;
- (i) that the total monies owing to the Council, as at 31st March 2024, be noted; and
- (j) that the Finance and Public Value Directorate be thanked for their exceptional work, under pressure and with strict deadlines, in delivering the outturn report.

* 10 **County Road Highway Maintenance: Capital Budget and Progress on 2023/24 Schemes and Proposals for the 2024/25 Programmes and the On-street Parking Account 2024/25**

RESOLVED

- (a) that the progress on 2023/24 capital funded highway maintenance programme, as detailed in Appendices B and C of the Report, be noted;
- (b) that due to the Department for Education Special Educational Needs and Disabilities Safety Valve Programme Grant funding agreement being more than anticipated at budget setting in February 2024, it is noted it is now possible to release £10 million of Capital Receipts to support Highways Infrastructure;
- (c) that an increase of £10 million to the Climate Change Environment and Transport 2024/25 capital programme funded by capital receipts be approved;
- (d) that a further increase of £639,551 to the Climate Change Environment and Transport capital programme be approved, being £455,000 in 2024/25 and £184,551 in 2025/26, funded by the DfT Traffic Signal Obsolescence Grant and Green Light Fund.
- (e) that the capital funded highway maintenance programme for 2024/25, as set out in Appendices D and E, be approved;

(f) that the detailed allocation of the available budget is determined by the Director of Climate Change, Environment and Transport, in consultation with the Cabinet Member for Highway Management, on the basis of the Highways Infrastructure Asset Management Plan, and within the limits of the approved budget; and

(g) that the programme funded from the On-street Parking Account for 2024/25, as set out in Appendix F, also be approved.

* **11** **The Future of Kingswear Primary School**

RESOLVED

(a) that the decision of the Secretary of State for Education to close Kingswear Primary (Academy) School be endorsed; and

(b) that the proposed new designated area for the area currently served by Kingswear Primary School to inform school transport eligibility be approved, should the decision be made by the Secretary of State to close Kingswear Primary School.

* **12** **Property Change Programme - Phase 2**

RESOLVED that the following sites be declared surplus to the Council's requirements and disposal is progressed:

- The Hive, Exmouth (noting this site has already been declared surplus as set out in section 3B of the Report)
- 2-4 Meeting Street, Exmouth
- Rosalind House Gardens, Tiverton
- Lea Combe, Axminster
- Sowton Industrial Estate Residual Land Freeholds, Exeter.

* **14** **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.

* **15** **Exclusion of the Press and Public**

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 a third party 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.

* **16** **Part II - Land purchase for Redbridge, River Otter**

RESOLVED that the recommendations as outlined in the Report at (a), (b) and (c) be approved in order to progress proposals for land purchase for Red Bridge, River Otter.