

## COUNCIL – DECISION NOTICE

7 December 2023

### Present:-

Councillors T Adams, M Asvachin, Y Atkinson, J Bailey, D Barnes, J Berry, F Biederman, J Brazil, J Brook, C Channon, R Chesterton, I Chubb, A Connett, D Cox, P Crabb, R Croad, A Davis, A Dewhirst, R Gilbert, I Hall, R Hannaford, J Hart, M Hartnell, L Hellyer, J Hodgson, S Hughes, S Randall Johnson, S Khan, A Leadbetter, C Leaver, F Letch MBE, P Maskell, D McGeough, J McInnes, J Morrish, R Peart, P Prowse (Chair), R Radford, I Roome, L Samuel, P Sanders, A Saywell, R Scott, D Sellis, C Slade (Vice-Chair), M Squires, D Thomas, J Trail BEM, P Twiss, C Whitton, J Wilton-Love, M Wrigley and J Yabsley

Councillor Aves attended the meeting remotely.

### Apologies:-

Councillors J Bradford, P Bullivant, H Gent, G Gribble, J Hawkins and P Henderson

## 1 Minutes

The Chair of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 7 September 2023 be signed as a correct record.

The Motion was put to the vote and declared **CARRIED**.

## 7 Youth Justice Plan

The Leader of the Council **MOVED** and Councillor Leadbetter **SECONDED** that the recommendations of the Cabinet, as set out at Minute 377, be approved, as outlined below;

(a) that the 2023/2024 Youth Justice Service Plan be endorsed and in accordance with 'Regulation 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000', be approved for adoption;

(b) that the existing contribution to a pooled budget to part finance Youth Justice Services in Devon of £299,200 be agreed, noting that no additional funding is being sought through the Report; and

(c) that in order to maintain an informed dialogue on youth justice matters within communities to achieve the ambitions of the plan to the greatest effect,

for both the benefit of children and society as a whole, the Report be further endorsed.

The Motion was put to the vote and declared **CARRIED**.

**8 Cornwall Council's proposal to join Adopt South West**

The Leader of the Council **MOVED** and Councillor Leadbetter **SECONDED** that the recommendations of the Cabinet be approved and;

(a) that the proposal by Cornwall Council to become a full member of Adopt South West Regional Adoption Agency, hosted by Devon County Council, from 1 April 2024, be approved;

(b) that the acceptance of the statutory and legal functions relating to adoption services as set out in paragraph 8 of the Report, delegated by Cornwall Council to Devon County Council as the host authority be approved for adoption;

(c) that the Director of Children and Young People's Futures, the Director of Finance and Public Value, and the Director of Legal and Democratic Services be given delegated authority to finalise and agree a revised Inter Authority Agreement for the purposes of adding Cornwall Council to the existing shared service and updating the financial model as set out in section 7 of the Report; and

(d) that the transfer of staff under TUPE regulations from Cornwall Council to Devon County Council be approved and the Director of Children and Young People's Futures and the Director of People and Culture be given delegated authority to complete all necessary actions required to support the expansion of the adoption services by the Regional Adoption Agency to the administrative area of Cornwall Council and the Isles of Scilly.

The Motion was put to the vote and declared **CARRIED**.

**9 Future of the Heart of the South West Joint Committee**

(Councillor Davis declared a Disclosable Pecuniary Interest in this matter by virtue of being a Member of the Joint Committee (appointed by Exmoor National Park Authority) and withdrew from the meeting during its consideration).

The Leader of the Council then **MOVED** and Councillor Gilbert **SECONDED** that in accordance with the Heart of the South West Joint Committee (HotSW JC) inter-authority agreement, the Council gives notice of its intention to withdraw from the HotSW JC and proposes to the HotSW JC that the Joint Committee be dissolved.

The **MOTION** was put to the vote and declared **CARRIED**.

**11**      **Minutes**

In accordance with Standing Order 13(2), the Chair of the Council **MOVED** and it was duly **SECONDED** that the Minutes of the undermentioned meetings of Committees be endorsed.

Appeals Committee - 4 September, 9 October and 6 November 2023

Development Management Committee - 6 September 2023

Investment & Pension Fund Committee - 15 September and 24 November 2023

Audit Committee - 25 September 2023

Procedures Committee - 26 September and 23 November 2023

*(including the following Minute numbers and the associated amendments to the Constitution)*

Minute 37 – Revised Financial Regulations

Minute 38 – Policy Framework Amendments

Minute 39 – Revised Definition of Cabinet Key Decision

Minute 40 – Public Participation.

Minute 42 – relating to the boundary between the County's Tiverton East Electoral Division and the Willand and Uffculme Electoral Division.

Minute 46 – Think Local Member Protocol

Minute 47 – Scrutiny Procedure Rules – 4d

Appointments, Remuneration and Chief Office Conduct Committee - 6 November 2023 *(The Council endorsed minute 82 to not appoint to the post of Deputy Director of Children's Services (Education & Schools) at this stage).*

Public Rights of Way Committee - 23 November 2023

Children's Scrutiny - 19 September & 14 November 2023

Health & Adult Care Scrutiny - 21 September & 9 November 2023

Corporate Infrastructure & Regulatory - 28 September & 16 November Services Scrutiny 2023

The Motion was put to the vote and declared **CARRIED**.

**12**      **Gaza Crisis**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**13**      **Tackling "Box Shifting"**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**14**      **Local Government and Social Care Ombudsman (LGSCO) findings on Special Educational Needs and the Role of Scrutiny**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**15**      **Humanitarian Emergency in Gaza**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**16**      **Austerity and Cuts to Local Government Funding**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**17**      **Hospiscare Funding**

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.

**18**      **Devon Residents Deserve Clean Rivers and Beaches**

(Councillor John Hart declared a Disclosable Pecuniary Interest in this matter by virtue of being in negotiations with South West Water and withdrew from the meeting during its consideration).

In accordance with Standing Order 6(6) the Notice of Motion was referred, without discussion, to the Cabinet for consideration.